

ARTHUR BERNARD: NEVADA MINE INSPECTOR AND PRISON WARDEN

Interviewee: Arthur Bernard

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Description

Art Bernard was born in 1910 in Italy to American parents and first came to the United States at the age of five, in 1915. He lived with his mother and stepfather in Utah and learned a variety of languages early in his childhood. By the age of eleven, he decided to strike out on his own and work in a sheep camp.

From then on, Art's life is the story of Nevada during the 1900s. He worked in several of Nevada's major industries, starting as a camp tender for a sheepherder, and then served a stint as a ranch hand. When he discovered that mining paid more than ranching, and even though he was still underage, he finagled a job in the Bristol underground mine at Pioche, Nevada. Along the way he became a prizefighter with a reputation as the Nevada boxer to beat—in or out of the ring. Later he traveled the state, first as a deputy inspector of mines and later as the head of the agency charged with overseeing mining safety.

Art rubbed shoulders—or more accurately hunted, fished and mined—with some of the top political figures in the state. Most became his friends. When his friend Charlie Russell was elected governor, Art accepted an appointment as warden of the Nevada State Prison. Although the position started out as a temporary favor for a friend, the prison's problems proved to be an interesting challenge, but no match for the Nevada miner with a common sense approach to finding solutions.

Art Bernard agreed to give his oral history in mining as part of the university's statewide mining oral history project. However, his life covered much more of Nevada's history beyond mining. Art is an experienced storyteller, and his descriptions of various small town mining characters at Pioche are laced with humor and compassion. Bar-room brawls, mucking contests, and mining accidents without nearby medical aid—all gave way to stories about some of the inner workings of Nevada politics in the 1950s and 1960s.

If there is a stereotype of a true Western gentleman in Nevada, Art Bernard fits the mold. He is an independent thinker, a man of courage who still meets life straight on and learns from every experience. He was the Nevadan who hunted deer and ducks, taking along his dogs and friends every autumn. He measured other men by his own high standards of hard work and honesty. Art is also a family man, who is devoted to his wife, children, and grandchildren.

ARTHUR BERNARD



Arthur Bernard
(Photograph courtesy of Special Collections,
University of Nevada-Reno Library)

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NEVADA MINE INSPECTOR
AND PRISON WARDEN

From oral history interviews
conducted by Victoria Ford

Edited by Kathleen M. Coles

University of Nevada
Oral History Program

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PREFACE

SINCE 1965 the University of Nevada Oral History Program (UNOHP) has been collecting an eyewitness account of Nevada's remembered past. While there is no standard chronicler profile nor rigid approach to interviewing, each oral history plumbs human memory to gain a better understanding of the past. Following the precedent established by Allan Nevins at Columbia University in 1948 (and perpetuated since by academic programs such as ours throughout the English-speaking world) these manuscripts are called oral histories. Some confusion surrounds the meaning of the term. To the extent that these "oral" histories can be read, they are not oral, and while they are useful historical sources, they are not themselves history. Still, custom is a powerful force; historical and cultural records that originate in tape-recorded interviews are almost uniformly labeled "oral histories," and our program follows that usage.

This transcript has been lightly edited for readability. The UNOHP uses certain editorial conventions to add

context to written representations of the spoken word. Amusement or laughter is represented with [laughter] at the end of the sentence; and ellipses are used, not to indicate that material has been deleted, but to indicate that a statement has been interrupted or is incomplete . . . or there is a pause for dramatic effect. For readers who are interested in examining the unaltered records, copies of the tape-recorded interviews can be accessed by appointment at the UNOHP's reading room in Reno.

As with all oral history projects, it should be noted that Art Bernard has recorded his *remembered* past, and while the program can vouch that this is a true representation of his recollections as provided to the interviewer, memory is never flawless. Readers should exercise the same caution used when consulting government records, newspaper accounts, diaries, and other primary sources of historical information.

UNOHP
December 2003

INTRODUCTION

ART BERNARD'S ability to learn a variety of languages early in his childhood predicted two important character traits of a westerner—a quick mind and a willingness to meet challenges head-on. Born in Italy to American parents, his father deserted the family soon after Art was born. Art first came to the United States at the age of five, in 1915, and lived with his mother and stepfather in Utah. By the age of eleven, he decided to strike out on his own and work in a sheep camp, but without mentioning it to his mother.

From then on, Art's life is the story of Nevada during the 1900s. He worked in several of Nevada's major industries, starting as a camp tender for a sheepherder, and then served a stint as a ranch hand. When he discovered that mining paid more than ranching, and even though he was still underage, he finagled a job in the Bristol underground mine at Pioche, Nevada. Along the way he became a prizefighter with a reputation as the

Nevada boxer to beat—in or out of the ring. Later he traveled the state, first as a deputy inspector of mines and later as the head of the agency charged with overseeing mining safety.

Art rubbed shoulders—or more accurately hunted, fished and mined—with some of the top political figures in the state. Most became his friends. When his friend Charlie Russell was elected governor, Art accepted an appointment as warden of the Nevada State Prison. Although the position started out as a temporary favor for a friend, the prison's problems proved to be an interesting challenge, but no match for the Nevada miner with a common sense approach to finding solutions.

Art Bernard and I first met at his ranch-style home in Carson City in August 1999. He agreed to give his oral history in mining as part of the university's statewide mining oral history project. Tall, trim, and alert at 89, Art's life covered so much more of Nevada's history beyond mining that we spent many pleasant afternoons on the sun porch at his home taping his first-hand experiences of Nevada from nearly nine decades of living here. Art proved to be an experienced storyteller, and his descriptions of various small town mining characters at Pioche are laced with humor and compassion. Bar-room brawls, mucking contests, and mining accidents without nearby medical aid—all gave way to stories about some of the inner workings of Nevada politics in the 1950s and 1960s.

If there is a stereotype of a true western gentleman in Nevada, Art fits the mold. He is an independent thinker, a man of courage who still meets life straight on and learns from every experience. He was the Nevadan who hunted deer and ducks, taking along his dogs and friends every autumn. He measured other men by his own high stan-

dards of hard work and honesty. Art is also a family man, who is devoted to his wife, children, and grandchildren. This oral history is his story.

VICTORIA FORD
December 2003

GROWING UP IN UTAH

VICTORIA FORD: *Today is August 16, 1999. My name is Victoria Ford. I'm here with Art Bernard in his home in Carson City. Art, let's start and have you tell me just a little bit about your background. Tell me where you were born and raised.*

ARTHUR BERNARD: I was born in Italy on April 27, 1910.

And how did you come to be in Italy?

Well, my mother and father were married in a place called Delzell, Illinois, and his folks lived in an area not far from a place called Rocca Corneta, which is about fifty miles from Bologna. They were very wealthy people. They owned practically all the countryside. It was on the Reno River in Italy, and I'm trying to figure out what the name of that little town is.

Well, it might come back to you, then. But they owned a lot of land in that area?

Oh, much land. Much land. There were six boys and two girls in the family, and none of them ever worked. I don't know which ones were the last to die, because I was never close to the family. My dad left my mother. I was born shortly after they went to Italy and visited with his folks. And then he got a cockamamie excuse that he had to come back, that he was called into the service, and she never saw him again. He left her there, and we were there until I was five before we could make arrangements to get back. When we got back to Illinois in this same town, Delzell, she divorced my father.

So, if you were there until you were five, Italian must be your native language, then?

I spoke Italian fluently. When my mother married my stepfather in Salt Lake City, Utah, we were continually moving from one mining camp to another, and most of the miners were foreigners: Italian, Mexican, Serbian, Swedes, Cousin Jacks, Englishmen—every nationality. I naturally went to school and associated with all these foreign kids, and we visited from home to home. Most of these kids didn't want to speak their parents' tongue, for some reason. Never bothered me. I used to like to talk with their parents, and in their language. And I got so I knew practically every one of these foreign languages. Today, I can still remember a few words in various languages, but not too well.

There were Italians. In fact, my folks—after my mother married my stepfather who was also Italian—spoke Italian in the home amongst themselves. I got so I

could speak Italian as well as they could. After I began working in the mines, everywhere I went, there were Italians as well as Swedes and all the other nationalities. I spoke Italian with these Italians, and they were so impressed with the fact that I could speak Italian that they helped me all they could. I mean, getting fluent in Italian, again, was nothing. I got to the point where I not only spoke Italian—the fluent Italian language—but I knew every dialect of the Italians in Italy, and there's a lot of them. People in those days, from a town ten miles or so away from where they lived—they all spoke Italian, but a different dialect. Some of the people in this one particular town had never been as far as the other town, and when they left, they came to America or to Australia or to South America, wherever they were going. I got to where I enjoyed speaking Italian. I knew every dialect.

You learned it from the other miners?

From the other miners. From the Tuscans, the Bergamasks, the Venitians, every dialect I knew. And they so enjoyed me speaking their dialect with them. They really thought this was something; they'd laugh and laugh. And I learned every song. I could sing it, I could read it, I could write it, I knew every dirty joke. [laughter] I thoroughly enjoyed speaking, not only Italian, but the other languages that I learned, particularly when I was in Bingham, Utah, during World War I and going to school there. Most of the foreigners there were Serbians and Austrians, and I got pretty good at those languages, but I can't remember any of that anymore. As I say, I can speak a few words in one or another.

In 1920, my stepfather, who was a mechanic and a miner, got a contract to drill an irrigation tunnel from a place known as Sanpete County. A man there, a rancher named Chris Larson, had thousands of acres of land but no water—I mean, not enough water to irrigate them. He somehow obtained water rights on the other side of the mountain and almost to the top of the mountain where Oh, I couldn't think now. The vertical distance from one valley to the side that came down into this valley. But the tunnel length was I couldn't remember that exactly, either, but it was about a mile. He got a contract to drill a tunnel through there to pick up the water on one side and bring it into the other side. I think it took him better than a year to do that.

By then he had made so many friends, and he was quite a mechanic on anything. Automobiles were coming along about then, and he was interested in working on automobiles. He got a job as a mechanic in the Hupmobile garage. That is not the name of the garage, but they had the Hupmobile agency.

Did they sell Hupmobiles, too?

Yes, they did. That and Model-T Fords. I grew up with the people there in Ephraim. We were the only gentiles in town. The rest were all Mormons, solid Mormons. I associated with those kids, whose families were either Swede or Danes or Norwegians. There, again, in visiting in their homes, the old folks spoke their language. The kids didn't want to. I would speak with their parents and enjoyed it, and I learned those languages. But in this town of Ephraim, there was very little work. The only work was ranching, and I got into it. The kids there, when they were big enough to sit on a plow or drive a team of

horses, they worked. Seeing a seven or eight or nine-year-old boy out driving a team plowing was nothing. The horses knew what to do, and all the boy had to do was sit on the plow, and the horses took care of the rest. But everyone had to work.

And where did your mom and stepdad get married?

They married in Salt Lake City.

But they met in a mining town?

They met at the mining camp of Ophir, Utah.

How old were you when you started working on the ranches?

I was about ten. When I was eleven, I decided to leave home, and I got a job as a camp tender at a sheep camp. I forgot to tell my mother that I was leaving, and I left and went up to this sheep camp. I had quite an experience. If you read my book, I described that. I was going up there with a string of seven pack horses. One old mare had a colt, and he was scurrying around and bothering her. We were going up a steep side hill at an elevation of about ten thousand feet, and he pushed his mother off balance, and she rolled down the mountain. Well, the horses were tied nose to tail, and I had a whole mess of horses scrambling around trying to get up, and all the rock salt and groceries I had on those horses was scattered around the mountain. I was eleven years old. I was riding a very, very cool, calm horse, and he saved the day. I gathered what I could and packed up. I found this sheep camp where I was going to, and I don't know how,

but I managed it. I was there that time, I think, eleven days, and I got a spot of dysentery, and I had to go home. And that's the first time my mother knew where I'd been. I did some awful things to my mother when I was a kid.

You were adventuring, yes?

Yes. Anyway, I worked every summer on ranches. I herded sheep. When I was thirteen, I had an entire band of sheep, and I lambed it all alone while living in the camp wagon. I was the help. The boss's son was supposed to stay there and do the work, but he was busy chasing girls. He found out I could do the work, and I practically lambed a thousand head of sheep. I had sheep in the camp wagon, under the bed, in the bed, in the oven, anything to keep them from freezing to death—for the lambs that the mother died. They were called "beeter" lambs. I don't know what that ever meant. I never tried to figure that out. But I did that, and I followed threshing machines. I pitched hay. I did everything in connection with ranching, but the pay was not much—if you got paid. They didn't always pay, the farmers you worked for. If you worked in the spring, they paid you when they sold the crops in the fall. If you worked in the fall, they paid you when they sold the lambs in the spring. It was kind of a vicious circle. And we, of course, knew that there were ranchers who were working in the mining towns, and they'd come back with fabulous stories about getting four and five dollars a day, and all of them with a new Model-T Ford.

And how much were you making on the ranches?

Oh, I got as high as thirty dollars a month as a camp tender, but the sheepherders themselves made from fifty to seventy-five. Labor around the farms was two to two dollars and a half a day for grown men.

MINING, MUCKING, AND BOXING

S*O YOU COULD make almost twice as much in the mines as at farming?*

Oh, yes. At least twice as much. But they couldn't all leave and go to the mines. Most of the men got married when they were very young, and they started having their children right away. They couldn't leave the farms. But my friend Ray Nielson, whom we called Swede—his father was the town constable—and I sold our bicycles. I think we got ten dollars apiece, and we hitchhiked back to where I'd started school and where my mother met my stepfather. And we went there because I remembered the town and how to get there.

So, Swede and I hitchhiked, and it was pretty tough in those days. There were very, very few automobiles and very, very few roads. Roads in those days were mostly just wagon roads. Cars weren't very plentiful at that time. But we made it, and we finally got to Ophir, Utah. And

we went to the collar of the mines in the morning. That's where they do the hiring. And to make it short, they told us to come back in about five years. So we had to leave Ophir, and we didn't have much money left. We'd been subsisting on stale donuts—we could get three or four or five for a nickel—for some time. And we got back to Stockton, Utah. There was one big mine there called the Honorein. From Ophir to Stockton was about fourteen miles. We walked it all. Never got a ride that time, and we got there about dusk. We were cold, very cold—it was in October. So we wound up down to the mine, and they had a big stable with horses and mules—they used horses and mules to draw their ore cars back and forth into the mines.

Even though there were cars at this point, there were not engines and rails underneath in the mines yet? They were still using horses and mules?

In many mines. Not all mines. Only in mines where they could get the animals into. Some mines, they did take them underground and put them on a skip, which is a mine elevator, and take them down to lower levels, but most of the animals were used on tunnels that started at the surface some place.

So, about dark, we wound up . . . we knew that it was taboo to go into a barn, but we were cold. We had to do something, and we went in, got behind the mangers, and covered ourselves with hay. And we spent a very unrestful night. About five o'clock in the morning, an employee came in to feed the horses, and he found us. Naturally, he told us we were not supposed to be in there. It was strictly prohibited for anybody to be in the barns for fear of fire. In those days, hobos did a lot of traveling, and

they slept wherever they could, and they all smoked. Many a barn went up in smoke then. So this was frowned upon. We told him of our problems, being short of funds, very short of funds, hungry, cold. He was an understanding young man, and he said, "Well, I'll tell you, I won't report you. You just stay here. And at seven o'clock, the boarding house will open." And at seven o'clock it was still pretty dark. He said, "You just walk in with all the miners. Don't act like you're a stranger. Just go in with them, sit down. Nobody will notice you or pay any attention to you. Get yourself a good breakfast." So we did that. Then he said, "And then, when you go to the office to rustle, don't tell them that you had breakfast." So we did that. We went in, and when they started bringing out the food, we thought this was our first trip to heaven. There was bacon, eggs, sausage, hot cakes, potatoes, big vats of coffee; and we loaded up.

Then after breakfast, we were going to the office, and I said, "The fellow told us not to tell them that we had breakfast, but I think we ought to thank these people, whether they knew we were having breakfast or not."

Swede says, "No," he said, "let's do what we were advised and not get in trouble."

We went into the office, and I assume it was the mine foreman sitting at his desk. There was a very handsome, big man talking to him. He had English riding breeches, English riding boots. He was a man who I later knew. He was six feet high and weighed 190 pounds, had a black moustache. Very handsome man. We asked this foreman, or whatever his title may have been, about a job, and he smiled and told us the same thing that they told us up in Ophir, "Come back in about five years. You kids are too young." I was fifteen and Swede was seventeen, but I

looked the oldest, and I was the biggest. So he said, "We just couldn't hire you, but come back when you're older."

We thanked him, and I said, "And I'd like to thank you for breakfast. We were hungry, and we went in with the miners, and we had breakfast. We can't pay you, but we might do you a favor some time."

He said, "Think nothing of it, son." He said, "Glad to feed you." And as we were going out, this tall young man tapped me on the shoulder.

He said, "Just a minute." And he asked why I wanted to go to work in the mine, and before too long, he had my history. He said, "Well, I can't do any good for you now, but if you're still in the mood to work in a mine a year from now, and if you ever happen to be around Pioche, Nevada," he says, "you look me up. My name is Jack Beuhler." And he got a piece of paper and wrote it down. He says, "I'm going down there to take over a mine. I'll give you a job."

So the following year, I didn't fool around with Swede. I accumulated what money I could, and I finally hitchhiked and made it to Caliente, Nevada, between automobiles, walking, and side-door Pullmans. And I got to Caliente, and it was the day before Labor Day, which didn't mean a thing to me at that time. I learned that the train from there went to Pioche the following day, and I thought, "I don't know what I'll do here tonight. Maybe somebody's going to drive there. You can't tell." So I went into a saloon, one of the biggest ones I could see. It was called the Buckaroo Saloon, and it happened to belong to the county sheriff, a man named Charlie Culverwell. So, when I got up nerve enough to go up to the bar and ask the bartender, I explained my predicament, and I says, "I'm trying to get to Pioche, and I was wondering if

you know of anyone that's going to Pioche that I could go with."

"Well," he says, "you're lucky." He said, "There's a fellow right here now, standing over there, and he has a cleaning department. And he comes down here and gets clothes and takes them back to Pioche and cleans them, delivers them back here. He'll be going back pretty soon." The bartender called the man over, says, "Hey, there's a young fellow here looking for a ride to Pioche."

"Sure," he says, "I'll take him." So, he turned to me and said, "I'm going to be a few minutes yet getting things ready and getting these clothes piled up, and then we'll take off and go to Pioche." So we did, and he had a Star automobile, Star Touring. In those days, they were known as "High Gear, All Year." Snappy little car. It was so snappy that over this wavy, winding, dirt road to Pioche, I had to push it most of the time up the grade. It didn't have power. It wasn't running very good. This car, if it had been in good working condition, would have sailed up those little grades, but it didn't. Took us a long time to get to Pioche, and in the meantime, he was a man about thirty-five or so, and he got all my history, too. He said, "Tomorrow is Labor Day." He said, "You can't get a place to stay in town. There's absolutely no rooms, and it would be even hard for you to get in a restaurant to get something to eat. I'll see that you get something to eat, and I've got a room in the hotel there. If you want, you can sleep with me."

"Well," I said, "that's fine." So when we got to Pioche, he told me where his room was in the Wyoming Hotel.

And what was this fellow's name?

His name was Pete Wadzagar. They called him Haywire Pete, and he was a character. I didn't know it yet, but I learned in years to come. His cleaning establishment was a little corner in the Sagebrush Saloon, owned by a fellow named Johnny Valente, with whom I became very well acquainted in years to come and had business dealings with. His cleaning outfit was a five-gallon can of some kind of fluid, and he'd dip the clothes in there, shake them around a little bit, wring them out, hang them up to dry, and press them. He had a wood stove there with a big iron and an ironing board. Very primitive, but he did a pretty good job. But anyway, he says, "I'll be busy here. You go on down to the Wyoming Hotel." He showed me where it was, and he said, "My room is number eleven. You just go on up there, and I'll be down after a while when I get time, and I'll see that you get something to eat."

So I went to the Wyoming Hotel. It was a big frame building, as all of the hotels in Pioche were and in most mining camps. I found the stairway—all the rooms were upstairs. I went up, and I found room number eleven, and I opened the door and went in, and I'd hardly got in there when someone else came in the room, and it happened to be the landlady. She wanted to know what the hell I was doing in that room, and I told her that the fellow that rented the room told me that I could sleep with him that night until I could make arrangements to go to work. I was looking for a man who had promised me a job in a mine. She exploded. She says, "That bum hasn't paid his room rent for weeks and weeks! I should have kicked him out a long time ago." I could tell by her accent that she was Italian. She was a woman, at that time about thirty-five, a very plain-looking woman, a very efficient-looking woman. I started talking Italian with her,

and she sat and looked at me with her mouth open for a while. I gave her my history, and I told her that I had been promised a job, and that I needed a place to sleep, so Pete Wadzagar—I didn't know his name, but I knew it was Pete; the Wadzagar and Haywire Pete, I hadn't learned yet—had told me that I could sleep with him. I explained that I'd come to Pioche with him, hitchhiked with him. She says, "Well, you can't sleep with that guy. He's no good. I'll give you a room to yourself."

I says, "I can't pay for a room."

She says, "Nobody asked you to pay for it. You just come, and I'll show you where you're going to sleep." All I had was a little kind of a knapsack bag in which I had what few things I had with me.

When I saw Pete later on, I told him what had happened, and I said, "I may have got you in trouble. I don't know."

He says, "Oh, don't pay any attention to her. It's just her bark is worse than her bite. She's a good woman. She isn't going to throw me out," and she didn't.

So I found out then that her name was Amelia Meselod, and that she and her husband owned and ran this so-called hotel. Her husband, at the time, was in jail in Carson City. He had been caught bootlegging. Every once in a while, the bootleggers were expected to get caught and do a little time to make the sheriff look good, who always advised them when the Prohies [Prohibition Agents] were coming, so there would be no booze around. But in order to allay suspicion, they all had to take their turns doing six months in jail. So her husband, at the time, was in jail. She had two daughters. The next morning, I went uptown to explore. The town was just bulging with people.

How many were there at that time? Do you know?

The population? I have no idea. There were probably 2,000 people running around there, but not just from Pioche, from the surrounding country. They all came to Pioche for the celebration. This was Labor Day, and Labor Day is *the* day in mining camps. They have boxing contests or races, tug-of-war, anything you can think of. The two big events are the mucking contest, the drilling contest, and the prize fights. So I went in, kind of slithered along with the population into the Sagebrush Saloon, and I found a place to sit inconspicuously on a bench along one of the walls. In fact, all the walls were lined with benches. In the back of the place was Pete Wadzagar's cleaning establishment and a restaurant. I sat down at this bench trying to figure out what all the hullabaloo was about, and what I was going to do, and when I was going to do it, and how I was going to do it. A little bit of a man came crippling over—he looked like he had a spring in his one leg. And he says, "Hello, kid." He said, "You hungry?"

So I said, "No, not really."

He says, "Thirsty?"

"No," I says, "I'm not really."

"Well," he said, "I'm Sport Watkins, and I've got cattle in the bank and money on the range, and if you need anything, you just call old Sport." He says, "Let me buy you a drink."

"No, no," I says, "I really don't want to drink."

"Come on," he says, "get in the groove of things." And he grabbed me. He looked like my little bit of a brother, and he had this little springy step. He took me over to the bar and says, "Give this kid a drink."

The bartender says, "What will you have?"

I says, "I don't know." I didn't dare ask for an orange or something.

"Yes," he said, "try some of this." He got out a bottle of home brew, poured some in a glass for me.

Sport says, "Put that on my tab."

The guy says, "OK, Sport, no problem." Sport left, and this bartender told me, he says, "He hasn't got a nickel." He says, "He's never paid for anything. He can't pay for it, but we all humor him. We like him."

Well, I learned then, as time went on, that Sport was quite a character. Years before, he'd been a famous jockey and a horse thief, and he'd been caught stealing horses. Halfway between Pioche and Ely was a seep called Pony Springs, and there was a grove of cottonwood trees there in this seep, which made a pretty good puddle of water. The stage from Pioche to Ely and back would stop at this Pony Springs to water the horses, but there was no facilities there at all. Sport had been caught rustling horses, and they took him to Pony Springs there. They happened to be near there, and they took him over there to hang him. They brought him on his own horse; they tied his legs under the horse, put him under a tree and were getting the rope ready to put around his neck, and they made the mistake of leaving Sport with his own horse. He was a phenomenal horseman, according to history, at the time, and he knew his horse just like he knew people, and he got away. He got that horse in a lope, in a gallop, and by the time they got their horses, he had a little distance. They started shooting at him, and they hit him in the knee, but he got away. However he got his hands and feet untied, no one will know, and he never told. But somebody must have found him and helped him. His knee had rotted without medical care, and it had just got to a point where it was just a mass of cartilage.

He could walk on it, in a sense—he looked like he was dancing all the time. When they got him back, with the fact that he'd pulled this awful disappearing act and got away from them, they decided they wouldn't hang him, and he became the town character.

So time was marching along then, and the events were about to start. Another miner there had kind of taken me over. His name was Tony Argento. He was one of the miners in town to celebrate. I unloaded and told him all my problems and that I'd met this man named Jack Beuhler who said if I got to Pioche, he'd give me a job.

"Oh," he says, "that's my boss." He says, "I work at the Bristol Mine. Sure," he said, "he's coming in."

I said, "Will you see that I meet him?"

"Oh, yes," he says, "No problem." He said, "Let's go watch the fights."

The crowd was gathering around the ring built in a sort of an amphitheater behind the Standard Service Station, and here was this ring, and the ring was surrounded with people. Up in the ring was a man walking around. He had on a pair of pants, but no shirt. He was the meanest looking thing I've ever seen. Just to look at him frightened me, and he was just a mass of tattoos all over his body. You couldn't tell where his nose started or where it ended. His eyebrows were masses of scar. He had a flat nose and mean-looking eyes. And this guy's name was Iron Jaw Slade. He was one of the principal, main-event fighters, and he was pacing around this ring all by himself. They soon learned that his opponent, whatever his name may have been, didn't show up. So they didn't have anybody to fight, and after the crowd was getting exasperated, the announcer said whatever his name was is not going to show. "Iron Jaw will meet

anybody in the crowd. Anyone that can stay with him for two rounds gets twenty dollars.”

There was a lot of excited talk around, going back and forth, and my friend Tony said, “You a fighter?” Tony was an Italian and spoke with an accent.

“No,” I said, “I wrestle, but I don’t know a thing about fighting.” As a kid around this farming community, wrestling was the sport of everybody, and I was pretty good. I could throw anybody my age and size and could even handle a lot of the older teenagers and men. But I didn’t think I was really in the condition to wrestle with anybody, so I just told him that I was not a boxer, but I knew a little bit about wrestling.

“Hey!” he says, “My friend there will take him on!” And he started to push me up into the ring, and he got three or four fellows around him. They all helped him, and I found myself up in this ring. Here was this brute of a man. I didn’t know what to do or what to say, and I don’t remember if I said anything, or anything else, but the people who were promoting this fight, or running it, came over with a pair of boxing gloves and put them on my hands, and I was so frightened, I didn’t know . . . I couldn’t resist. They gave me all the instructions about what I was supposed to do, which didn’t mean a thing.

They took me over to the center of the ring, and here came Iron Jaw. He didn’t say anything; he just looked at me. And then I was told to go to my corner, which was strange to me at the time, but I know now what they meant. “Come out at the bell!” The referee had given us a lot of instructions, which I didn’t pay any attention to. My mind wasn’t there. Nothing was there. From the corner, the bell rang, and here came Iron Jaw right across the ring, looking at me and his hands in a fighting position. When he got near me, I was so frightened, I don’t

know what I did, except I jumped all over him, and I screamed and scratched and probably kicked and bit. I don't know what happened, except that Iron Jaw slipped to the floor. He was down. The referee came over and counted to ten. Iron Jaw didn't move. People started to surround me. One guy had put a twenty dollar bill in my pocket, which was the biggest bill I'd ever had. [laughter] And they took me out of this ring and headed me for the Sagebrush Saloon to buy me drinks. By the time I got there I thought, "Maybe I did whip that guy." What actually happened, he was as drunk as his opponent, who didn't show up, and when I jumped all over him, he just couldn't stand up. He just fell down.

So you hadn't actually knocked him out?

I don't remember. I never hit him. I probably just grappled him to the floor. After a few drinks, I felt that maybe I did whip him. And I had twenty dollars in my pocket, and I didn't offer to buy any drinks. Somebody asked me if I was hungry, and I said, "Yes, I am." So we went back to this restaurant, and there was a man cooking and a nice looking, worn-out type of a woman that was a waitress. So she came over to ask what I wanted, and I didn't think to look at a menu. I said, "Gee, I don't know."

"Well," she said, "we've got some good pork chops."

I says, "That sounds good."

And she, for some reason, started mothering me right then. She brought me the pork chops, and when I got through, she said, "How about some dessert?"

"No," I said, "I'm doing fine here."

She says, "I've got some nice lemon pie. I'm going to bring you a piece of lemon pie, and it's not going to be on

the bill.” So she brought me the lemon pie. I ate the lemon pie, and I think the cost was forty or fifty cents for this meal of pork chops. I paid it with my twenty dollar bill and got the change. I later became well acquainted with her and with the cook. The cook was the deputy sheriff’s son, but already near middle aged. And the woman was a worn-out prostitute, and they were living together. As time went on, I got very friendly with her, and I never forgot how nice she was to me when I first came. Her husband and I became very good friends. In fact, the whole family and I became very good friends, and two of the boys and I became bosom buddies—hunting partners and everything else. But at that time, I didn’t know the cook or the waitress. Anyway, everybody took care of me. I guess I just looked like I needed taking care of.

Toward evening, Tony looked me up, and he said, “Mr. Beuhler’s in town.”

So I went, and I saw him, and I says, “You may not remember me, but I”

He says, “I remember you. You stopped in last year. You came for that job.”

I says, “I did.”

He says, “I’m glad to have you.” He says, “We’ll be going home right soon, because I’ve got my two little girls with me, and I’ve got just a little business to do, and we’ll go back.” So I stayed, and I made sure he didn’t leave me. I kept track of him, and when he got ready to come, we got in his car. He had a big Master Six Buick. Gee, big, beautiful car. And he had two little girls. One was about six, and one was, maybe, eight or nine, I don’t know. We drove out this dirt country road twenty-five miles to the Bristol Mine, which was way up at a pretty good elevation of about 7,000 feet. This was an old mining camp, and lots of the wooden cabins were empty, and the mine

had shut down. Everybody went into Pioche for Labor Day, and he said, "Do you know anything about fireworks?"

I says, "No, not really."

He says, "I promised the girls. We couldn't stay in town for the fireworks, and I bought a few things. I guess it's kind of simple," he said. "While I'm putting things away," he says, "why don't you set these off?" We were in this sort of a canyon. His house was here, the garage was there, and there were houses all around the surrounding hillsides. He says, "Set off these fireworks."

So, I looked, and it was obvious how you do it. You lit them and put them down, and they exploded. I did that, and the first one, it exploded and fell on the sides. You know how our hillsides are now, full of cheat grass and brush? That's the way it was this September night, and fire started all over. There were just he and I; all the men were in camp. And his wife was somewhere; she wasn't there. So he and I were very, very lucky. We got all those fires put out by ourselves, but it was a job. Then he showed me the various cabins, and when the store opened the following day or whenever, they would have blankets and everything for me to sleep on. I didn't have any blankets with me, but there were these empty beds in these cabins, so he found me a couple of blankets to sleep on. And that was how I came to Pioche and how I started working in the mines.

You were under age to work in the mines. Is that right?

I was under age, but nobody paid too much attention to it. As they told me later, when they asked me to register to vote, I said, "I'm too young."

They said, "You're big enough. If you're big enough, you're old enough." And that's the way it was working in the mine.

What's the first job that he put you on, then?

I was a top-car man.

And what is that?

That is the hoist. The skip, loaded with minerals, comes up out of the top, and it dumps into an ore chute. There's two ore chutes, or a big ore chute separated in two. There's a wing that separates the two chutes. When they bring up the ore, they swing the gate one way, and it goes into one chute, and when they bring up the waste, they shift the door, and it goes into another chute. So, at this particular mine—and most mines of that size at that time—they have a man who runs the top car. He has a steel car that holds a yard of material. That's anywhere from a ton to a little more to a little less, depending on what the material is. The top-car man, when he's loading, when he's taking ore out of the ore bin, takes it over and dumps it over a grizzly where two men—or one man, depending on how much work there is to do—sort the ore. They throw the waste out of there, and the ore goes down into another bin, which, in this particular instance, was put into tram cars and hauled over a mountain to a place called Jackrabbit, where the train from Pioche, a little dinky narrow gauge, took it from there to Pioche. When they had the waste all out, he trammed the waste, and he put that over the dump. The dump, at this particular time, was hundreds of feet deep, and if you weren't careful, you could dump the ore. If you didn't open the

gate in time on the ore car, it went over the dump. And getting it back up was quite a job, because it had to be taken down to the bottom, put into a truck, and hauled up around the mountain. Top-car men were not supposed to let that ore car get away from them. It's one of the first things that happened to me. I was in a big rush, and I lost the ore car.

But anyway, make a long story shorter, I became, probably, the champion top-car man in history there. God, before that, they'd oftentimes had to put someone on the night shift, because the top-car man couldn't handle it. I never had enough to keep me busy, and I made quite a reputation as a top-car man. I stayed with that as long as I had to, but I got twenty-five cents a day less than the muckers in the mine, and they got twenty-five cents a day less than the miners. The miners, at that particular time, were getting five dollars a day, the muckers \$4.75, and being on top in the fresh air—I was the top-car man—I only got \$4.50. I wanted to get into that big money, and I was very popular with all the bosses, because I was a hard worker. I asked if I could go down in the mine and be a mucker. "No. God, no. You stay on this top car. This is the best job."

"I need that twenty-five cents a day." I chiseled and chiseled till they finally put me down there mucking, and I was the best mucker in the mine. I did that for quite a while, and then I wanted to be a miner.

"Well," they said, "kid, you've got to graduate. You've got to learn to mine, and if you're a miner, you've got to handle the powder and blast your round."

I says, "I've watched them. I can do it."

How old were you by now?

I was now about seventeen.

So you went through these jobs pretty fast, right?

Oh, yes. So I talked myself into being a miner, and I became probably one of the best miners. Whenever they had tough ground to blast anywhere, the shift boss would always say, "Get Art." Here I was, a snot-nosed kid doing mining work that old-timers couldn't figure out. But I was a natural. I could tell the geology of the veins, how to put in my holes to make them break. And underground when I mucked, I was just so much better than anybody else, I always did more work, and I got quite a reputation.

So, the following year when I was eighteen, somebody suggested I should enter the mucking contest in Pioche. I says, "Oh, God, no. I couldn't. I couldn't compete with those. Those guys are good! The best in the country!"

"Oh, hell," one of those old miners says, "I've seen them all." He says, "Nobody can beat you with a shovel." There was one guy, and his first name was Frank—I can't remember his last name. He was about thirty-five, a husky man from St. George, Utah, and he won it every year; he was unbeatable.

I knew about him. I said, "Hell, I couldn't beat him."

"Oh, you can beat him." So he talked me into entering, and I was then not quite as bad as when I went into the ring against Iron Jaw Slade, but I was very nervous. I didn't know what was going to go on. But anyhow, this particular year, the contest was to move a yard of material. They had a yard of material in a box that sat there and a wheelbarrow. We pushed the wheelbarrow there,

loaded it, and took it out, and dumped it in the other one. The fellow that did it the fastest won the prize.

So I registered in the mucking contest, and the entrance fee was five dollars, a day's wages. All the entrance fees went to the winner, plus a little prize that they had: twenty-five or thirty or fifty dollars, whatever it happened to be. It was different every year. The winner of the first prize was good for anywhere from two to three hundred dollars. This was fabulous money. My turn was about third or fourth—I can't remember—but I'd mucked before this champion came up. His number was back in eight or nine or somewhere in there. When they gave my time, the crowd says, "That's the winner. Nobody going to touch him." And they didn't. The master from St. George did his best, but hell, he was a minute behind my time! I was all alone. Nobody ever equaled it. I won that mucking contest every year I entered, except two years during the war they didn't have it.

The last time I entered, it was 1941. I was deputy inspector of mines, and I had no intention of entering that mucking contest, but my youngest brother was entered. He registered, and they had a deadline for registry. If you didn't register by this deadline, you couldn't compete. By deadline, only four had registered. My brother was one of them, and three others. Well, then they held a meeting and decided, "We're going to open it for another five minutes."

There were several muckers who knew I wasn't entered. "Since Art isn't in there, let's enter."

When they all got through entering, I went up to a fellow named Rex—I can't think of his name at this minute—who was in charge of it. I said, "Rex, I think I'll enter."

"Well, you promised you wouldn't."

I said, "I didn't promise I wouldn't. I just said I wasn't going to register, but then you were not supposed to open it." I said, "Now, since there's a pretty good pot there, I'm going to get in it." I figured, "Well, they did this just to keep my brother from winning," because he was pretty good. He wasn't as good as I was—a lot younger—but not as good. So I won it all by myself again. That's the last time I ever mucked.

What kind of times did you get on mucking?

Oh, it would depend. Every year, it was different. Sometimes they went down through rocky material in a box and shelled it out. Other times, they did it the way we did it the first time, and they were always changing, but my time was from three to five minutes, and the others were much longer.

Well, anyway, after my first experience in the ring with Iron Jaw Slade, everybody had the idea that I was a good boxer. I thought nothing of it, except that any time anybody's supposed to be good at something, somebody wants to beat him. Every time I went to town to a dance or something, and I was around the saloon or out, somebody always picked a fight with me. The fights never lasted very long; when I hit them, they stayed hit. Well, that went on until one night, I got my finger broken. I was loading cars, like I told you about that top car, only this was years later, and I had my hand on the edge of this steel car and barring with this hand, and the rock came down and hit me there, and it broke this finger, and it was just hanging by a thread. The bone was broken. The only car in town to take me to a doctor was a fellow—I forget his name now—a little, roly-poly guy from some town near Coalville, Utah. He had a Model-T Ford

Coupe. I was on the night shift, which went on in the afternoon, and I came out of the mine, and they dressed it up, but they had to get me to a doctor, and nobody had a car except this kid, and he was on duty, too. So the foreman made a deal with him that they'd let him off work and pay him his wages if he'd take me to town to a doctor. We went down to this Model T. All the four tires were flat, and you had to pump them up by hand. We finally got started, and we went to town.

There was only one doctor in town; his name was Hastings. I hadn't changed clothes. I had put on cleaner clothes, but just more overalls and blue shirt. So we went over to Hastings, and he wasn't there. Something had happened. He was out delivering a baby or some damn thing. He was out of town. So we had to go over to the Sagebrush Saloon and have a drink. We had a few drinks, and I forgot all about the thumb. There was a dance in Caliente twenty-five miles away, and so somebody in the saloon unwrapped my hand and went and got some tape, taped it up, and did a fairly good job, and decided I ought to go to Caliente to see Doctor McCall. So we took off in his Model T, and we went to Caliente, and Doctor McCall was out. Couldn't find Doctor McCall.

So we were going to go over to a saloon on the other side of the tracks, and we stopped and parked the car by the theater. There was a big sign out by the theater where they used to put those things that advertise the show, you know, pictures of Clark Gable and whoever else. We were standing there, my partner and I, and a guy came along, and he just jumped all over my partner and started beating him up. I says, "What the hell are you doing here, anyway?" So he took after me, and I hit him and knocked him through this billboard, and that was the end of him. What had happened, somebody had taken out his girl,

and he thought it was my friend. He'd made that mistake, and then he made the mistake of taking after me. His name was Ed Keele, and he was a bigger man than I was—not any taller—but just as tall, and ten, fifteen pounds heavier.

So I never did see a doctor. We went back to Pioche, and that finger eventually healed just as good as it was new. For many years, it was a very noticeable scar there. It's almost gone now.

I went into another dance in Pioche one Saturday, and when I was up in the dance hall, all dressed up dancing, a guy came up, and he says, "I'd like to see you outside." I went out. He says, "You made a sneak punch on my brother." He says, "Now you're going to have to settle with me."

I said, "Who the hell are you?"

He says, "My name is Jigs Keele." Rung a bell. It rang a bell again, because the name Keele was familiar. The Intermountain heavyweight champion's name was Jake Keele, and he was well known. He was six-foot-two and weighed 210 pounds, and he was twenty-four years old. Jigs was about twenty-two then, and Ed had been about twenty. I was eighteen. So he said, "You want to go outside?" We were out in the dance hall. He said, "You want me to flatten you out in here?"

I says, "Let's go outside." We got outside, and he made a swing at me, and he missed me, and I made a swing at him, and I didn't miss. I knocked him into a tree, this cottonwood tree, and he hit it with his head, and he was out.

While we were there, a lady came up, and she called me every name she could think of. She says, "You pick on my brother!" By the way, this Jigs Keele was bigger than I was. He was bigger than Ed. She said, "You pick on

them. You're a big bully." I weighed 170 pounds. I was smaller than any one of these. She says, "I've got one brother that can handle you, and he's going to come and do it."

I says, "You better bring the whole family, because from what I've experienced so far, it's going to take more than one." That was along in the fall. On Christmas Eve, I was all ready for a dance, and it was cold, and I had a brand new suit on—the first time I'd worn it—tailor made. I was in Johnny Valente's Saloon in a high poker game. I was sitting like this. The dealer was over here; the restaurant was over there. The front of the saloon was back here, and somebody came over and tapped me on the shoulder. I looked up. I knew who that was. That was Jake Keele.

He says, "Are you Art Bernard?"

I said, "Yes, I am."

He says, "I gather you had some problems with my brothers."

I says, "I did."

"And I gather you told my sister that she'd have to bring the whole family along to take care of you."

I said, "I think I made that remark," and I knew I was in for the beating of my life.

"Well," he said, "step out here a minute." I stepped out. Two or three guys followed me. One was named Bill Adir. He was working up at the same mine I was, and it developed that he was a shirt-tail relative of the Keeles. He followed us out. Outside it was cold, and the streets in Pioche are on a pretty good grade. At that time, the street was dirt, and there was a gutter on each side—no curb or anything. The cars came along and headed into this gutter, and there they were at half-cock, one here and one there. The street was just nothing but ice. So we

got outside, and he says, "I understand my brothers. They're not all that innocent." He said, "I think they probably egged you on a little bit, but," he said, "I don't like that remark about having to send the whole family up here to take care of you." He said, "If you want to apologize, we'll forget it."

I said, "I see no damn reason to apologize. Your brothers picked a fight with me. I defended myself. They're not as tough as they think they are, and I don't intend to apologize to you or anything else for anybody."

"Well," he says, "that leaves me no alternative." He says, "I'm going to have to beat the hell out of you."

"Well," I says, "all right." I started taking my coat off, because the first thing I thought of was this nice white shirt and my new shoes, and I'm going to be beat to a pulp and nothing but bloody. Here goes this nice new shirt. I turned around. A big crowd had collected. I said, "Will somebody hold my coat?" Nobody wanted to hold my coat. They didn't want to get in trouble with Jake Keele.

This Bill Adir says, "I'll hold your coat." I found out later he was shirt-tail relative. So we went out in the street, and this man was experienced. He made it a point to be on the upper grade, uphill on me all the time. He outweighed me forty pounds, and he was six years older. He was a fully formed man, and I was just getting there. I was fighting uphill all the time, and by the time we got up there, opposite the Norris Drugstore, I'd got uphill on him. I'd beaten my way up above him, and I hit him and knocked him down, and he slid under an Oldsmobile Touring Car that was parked in the gutter. And there he lay. They pulled him out; he was unconscious. He was beaten to a pulp. I couldn't believe it. They hauled him into the drugstore, took him back of the prescription

counter and laid him on the counter. I told you about Norris the other day, a little. He was justice of the peace, later became state senator. He owned a drugstore and a ranch, and his daughter, Edna, was married to Art Acord, the old cowboy movie actor. That's long before your day. You probably never heard of Art Acord. Norris's son was, through his daughter and son-in-law, a bit player in the movies. Anyhow, he had this drugstore, and he was also a bootlegger. He sold bonded stuff, Four Roses and that sort of stuff, that he could get from the government, and then he passed it out only to special friends, which by that time, I'd made the grade, and I was getting some of that high class whiskey. Norris and I were good friends.

I went in and looked at Jake Keele, laid out on the counter there. I don't know how I did it, but I damn near massacred him. He was just beaten to a pulp, and they sent for Doctor McCall. Doctor McCall came down, and he said, "Well, there's nothing wrong with him that a little liniment and some rest will" He said, "He's just exhausted and beat up." Oh, they made quite a to-do about it.

I don't know what they thought of me, but everybody was trying to help. The barber was there, and he says, "Come on. I'll open the shop and clean you up." My shirt was full of blood. My coat was all right. Bill Adir had that. Blood didn't get on my pants.

The fellow that owned the haberdashery, named Joe Cohen, said, "What size shirt do you wear?"

I said, "Sixteen and a half." He went down, opened the store, and come up with a nice, new shirt. The barber took me in and gave me a facial or whatever. He put me in good shape. The only mark I had on me, besides my fists being so sore that I could hardly move them,

was I had a chipped tooth. I had just demolished the Intermountain Heavyweight Champion.

Was this the beginning of your boxing career?

From then on, I fought the main event of every fight that came to town, and I don't know how long it took before there was nobody left to fight. Everybody decided I was world-championship material, and they talked me into going to San Francisco, and I did. When I got down there, through a lot of luck, I got taken over by Larry White in his fighting stable. He, at the time, was manager of Young Corbett, the welterweight champion of the world, and he had two contenders. I had quite a lot of interesting fighting experience, boxing experiences, but I never did fight—two or three exhibition fights—for more reason than one. One, Larry didn't encourage me to fight, because he told me, "It's going to take years for you to mature," and he says, "You haven't got the patience." This was after he watched me work out in his camp. But he liked to keep me there, because he couldn't drive, and he had a Moon Roadster, and every time he wanted to go somewhere, I did the driving. He had a beautiful young wife—well, not young, but younger than he was—named Sheila something. She was a redheaded, Irish, wonderful woman. As long as I was with Larry, she felt safe. She felt that he wasn't going to chase any chippies around, because Art would be with him. I met the best fighters in the world, became friendly with a lot of them, and I had some wonderful experiences, but I never pursued the boxing game. I came back and went to mining. I knew more about mining than boxing.

*So you were gone for a while from Pioche, then, right?
You went down to San Francisco for a while?*

Well, I was in and out. I'd go down and come back and down and back.

But Larry White wasn't ready to put you in the ring yet?

No, no. I never did. I had to tell him. I had the ability; I could have. But I just didn't want to do it myself. I saw what those fighters looked like and what they had, and it just wasn't for me. The training is like going to jail, I guess. You go to bed at a certain time; you get up, and you run at a certain time, and you run so many miles, and then you get in the ring, and you train there, and then you go rest a while, and then you go in the ring, and train again a few hours later. It's a miserable life, and it goes on for months and months. And all this time, you're not making any money. You're lucky if you make enough to help out a little bit. And everybody that gets into the situation I was, where you're not making enough money to live, to subsist, you've got to get a job to help out. With my connections being in Larry's stable, I got a job with one of *the* most important bootleggers in town. The bootleggers are always kowtowing to what fight managers got that they want. A man managing a group of fighters is one of the most popular guys around, because he can get these people seats to a fight. He can get them here; he can get them there. And there's no end of favors he can get. Through Larry, I went to work for the chief bootlegger in San Francisco, and I made a hell of a lot more money than the boxers were making.

But boxing kind of goes with the mining camps. Like you mentioned, wrestling went with the ranching community.

There was always boxing and ball games—baseball—in the mining camps.

Baseball. Really?

The two popular sports.

Did you play baseball too?

No, I didn't. I never was interested in baseball.

The boxing was more interesting to you?

Well, it just came along, and once I started knocking these guys out, it was like a disease. I couldn't stop.

So whether you wanted to or not, you had the reputation.

Yes, and I had to defend it.

So when you went back from San Francisco and decided not to go into boxing but to stay with mining, what happened then? What job were you on then? Were you underground mining?

I was underground mining, yes, from then. I went from mines in Utah. Mostly, it was around Lincoln County and Pioche, because there's where I had connections, and there's where Mr. Beuhler made sure that I became a

mining magnet, so to speak. He kept pushing me up the ladder, and he always used to explain this ladder. Every time I'd leave, he'd give me that story about the ladder. But you'd crawl up that ladder, and you get higher and higher, and then all at once, you fall. You've got to start all over again. This he would tell me, "You're here at this station. Now you quit, and you've got to start all over when you come back."

And is that what he did? When you would take off he would start you back at the beginning again?

When I'd come back, he'd start me again, and he made me a mine shift boss, and he made me a mine foreman. I was the son he'd never had. He had two daughters, three daughters. One was born after I got connected with him.

How old were you when you were the shift boss?

Nineteen the first time.

That's pretty young.

I was awfully young.

Was that unusual?

It was quite unusual. It might have been because the fellow that I was a shift boss for, a leaser up in Stockton—I went back to Stockton in the Honerein Mine in later years—made me the shift boss, probably because he knew that I would stay sober and take care of things, because I know that most of the men that worked under me were

as good of miners as I was, probably better. They had more experience.

But you were more responsible at nineteen?

I was more responsible.

What was your favorite work underground? Did you like it when you got promoted to shift boss or mine foreman?

Well, yes. It was an advancement, and naturally, more money, but what I enjoyed about mining was the actual work. I took great pride in being able to do what others were failing to do, and I took great pride in timbering. I was an excellent timberman. I never worked for a boss that didn't have the greatest confidence in me and never worked for somebody that didn't give me more responsibility than my job called for. Mining, to me, was very, very interesting. I didn't think I'd ever do anything else. It's the most interesting thing I ever did until I went to prison.

Went to prison?

And that was really a challenge!

[laughter] And by saying you went to prison, you're talking about your job as the head of the prison?

Head warden, yes.



We're going to talk a little bit about the Bristol Mine now, and maybe about some of the equipment and mining methods that you saw there.

Well, the equipment used underground at the Bristol Mine was strictly jackhammers for regular drilling, to drill to blast ore, which at this particular mine came in large ore bodies, and mounted jackhammers of different kinds that you used for drilling tunnels, which we called drifts, and stoping machines, which you used to run raises.

Did you have power, electric power, in the mine to run the jackhammers?

No, they were all run by air. There was a compressor on top that made the air that was piped underground.

Did you have the carbide lights?

We had carbide lights, and when I started mining, we had caps that held our lamp, and they were cloth caps. And very few miners, particularly six feet or more such as I was, never had any skin on their head from hitting their head on the top of the drifts.

That's all the higher they were, was six feet or less?

And in the olden days before my time, men were smaller, shorter, and particularly, those called "Cousin Jacks," or Welshmen. They were very good miners, but they were . . . a giant would be about five foot six, or something, and so they ran these drifts according to their size. Miners got taller later, and they were always hitting

their heads on the top of the drifts. And when they started running drifts, they were higher: six feet and more.

But your cap was a cloth cap?

Just a cloth cap. There's no protection at all. It was made of canvas with an apparatus in front. I wish I had one to show you. I've given them all away. It held your carbide lamp. Later, hard hats came into effect, and they were cumbersome things to start with, but they finally improved. The modern one is not much worse to wear than a hat, a regular hat that you wear. Later, electric lights came, battery lights came, and you carried them. Gee whiz, I left it. I had a real nice set-up, that I left at my house when we sold it this spring, out at Bristol. I carried it around all these many years. It's a battery that is in a pouch, and you wear it on your belt, and the light comes around over your shoulder and into the light on your cap.

A cord that attaches there?

That was a great improvement over carbide. Today, I doubt if there are any carbide lamps used anywhere, anymore.

Now, that was an old mine, you said, the Bristol was? And were you mining gold there?

Gold. The material there contained gold, silver, copper, and zinc.

And was there a mill nearby?

No, there was not at the Bristol Mine. That was not milling ore. That was oxide ore, and it was shipped to the smelter at Tooele, Utah. There were various smelters. I forget all the towns, but they were all around the Salt Lake City area.

So you shipped it out by rail?

We sent it across the mountain on a tramway and took it to Pioche on the narrow gauge, and then from there on Union Pacific, regular railroad.

So you used the jackhammers, air powered jackhammers, to drill the holes.

Yes.

And then were you using regular dynamite for blasting?

Dynamite, yes. Giant powder.

Giant powder? Was that the brand name?

That's dynamite. There's several brands, which I can't remember too much now. Every miner handled his own powder, but some mines, they have a powder monkey that handles the powder. But at this particular mine, and practically every mine I ever worked in, I handled my own powders. All of the other miners did.

So you made your own determination how much to put in the hole?

Yes, how much to put in the holes and when to shoot them and what sequence to shoot and whatnot. And how you drill these holes, regardless of whether you're running a drift horizontally, a raise vertically, or sinking a vertical shaft, knowing what your powder will do and how to place it and how to drill the holes is very important. That's the difference between a good miner and a poor miner.

How did you learn that? Did some of the other miners teach that to you?

Oh, yes. They showed me how to drill the holes, and they explained more or less the different powders, the 30 percent, 40 percent, 50 percent, the different percentages of the explosive capacities of the various dynamite and how it worked. And then, of course, you get good by experience, by drilling holes in various ways in various strata, and how they break with so much powder, and you get so you know. You kind of feel your ground. The rock seems to talk to you and tell you what you have to do to break it. Some miners are just absolutely good at it, and others never do learn.

At the time that you were working there, were there people like geologists who were telling you where to mine, or were you just kind of turned loose? The ore body was there, and you were turned loose?

There was always a geologist and an engineer who mapped the country and determined where to go. They were not always right. One particular experience was in the Bristol Mine, and it was the last time I mined. I and another group of men had taken a lease on the fifteen-

hundred level, and we had ore that we mined, and it was a partnership with the company. They gave us a three-month lease, and what it amounted to was a three month clean-up. Any time they wanted to take this lease away after three months, they wouldn't renew your lease. How long they let you work depended on who you were, and you will realize what I mean. There were six of us that had this lease, and I was the head leaser, and this was in 1940. I was married, and I'd gone through three or four mines that I told you about before that I'd had leasing options with a fellow named Owen Walker. One was the Half Moon, one was the Highland Queen, one was the Mendah. We'd never taken up any of those options. I'd gone back to Bristol as mine foreman and it really didn't pay a hell of a lot of money. I was the second in line, but the wages were very low at that time, and I had to buy a certain amount of the stock, and it was taken out of my salary. That was considered part of your pay. In other words, I had to buy stock, but the price of the stock was kept out of my salary, and I accumulated the stock. I accumulated a hell of a lot of stock and paid no particular attention to it, because I never thought it would be worth anything. So I really wasn't making enough money, and I went in this lease with my five fellow miners. We paid the mine a 50-percent royalty. We did all the mining, they furnished the material that we needed on exploration work. If we were mining ore, we had to buy the material. The powder and timber and whatever we may need, we had to buy it. But if we were exploring, we furnished the labor and they furnished the material. So we had an ore body down there that we were working on, and we were doing pretty good. It gradually depleted

itself, and we were out of ore. So we had a very good engineer there named Paul Gemmill.

Is this the same Paul Gemmill who was later at the university?

I think so. He worked for the mining. Well, it had to be the same one. There was only one Paul Gemmill. He died here about eight or ten years ago, and his wife just died three or four years ago.

If we wanted to look for new ore bodies and then were not getting any material out, they furnished the powder and the material—if they thought there was any chance. If they didn't think it was a good gamble, they said, "There's no prospect there at all, so we won't participate. If you want to go in there, you've got to do it yourself."

So I was on a little streak of ore there that I thought, "This has got to make." And the company, which actually was Gemmill, because he was the engineer and geologist, said they would not participate. If I wanted to go in there, then we'd have to pay our own way.

My partners figured that he was a hell of a lot smarter than I was, and they said, "If Paul said they're not going to pay, we're not going to pay, either." So there we are. I knew there was ore back there, and I was very committed to this mine, more so than Paul was. I had been there a lot longer, and I'd done every type of work in that mine, and I'd seen how various ore bodies had been located before and the mineralogy behind it.

So there was one fellow there, one of my partners, named Tom Grassi. One day I said, "If you guys don't want to pay for the powder, I'll buy it myself."

And Grassi says, "And I'll help you." He said, "If you think there's ore there, let's go."

So then, the others said, "Well, all right, then we will, too." And I kept drilling, drifting in on this. It was just a sliver when I started, and it got to about two inches wide, and the next round I put in, it got about four foot wide, and it was high grade. You could eat it. We had a fortune there.

INSPECTING THE MINES

JUST ABOUT THEN, I came through Carson City, and Matt Murphy and I got talking about the deputy mine inspector, who was getting sick, and jokingly, I said, “Well, if Jack dies, give me a ring. I’ll take his job.”

And who was Murphy?

Matt Murphy was the state inspector of mines. Now, I knew his deputy mine inspector, because he came around the mines where I was. And his name was Jack—can’t think of it right now. It’ll come to me. And he was sickly. He had the “jackhammer laugh.” That’s dust on the lungs. You cough your lungs out. Silicosis.

So I jokingly said, “If Jack dies, give me a ring. I’ll take his job.” Thought no more about it. And then I drilled into this vein, which developed to be about four feet the last time I was there, and we took the samples up, and you could eat it. It was just fabulously rich.

I got up, and I found a telegram from Matt Murphy, "Come down to Carson City and be sworn in as deputy inspector of mines."

I told my wife, I says, "Now it would come. I can't take it. We've got a fortune down there."

She says, "I want to get out of here," says, "I don't want my kids to grow up here with one leg shorter than the other walking around these sidehills," because I'd be located in Ely. She said, "We've got school there for the children." We only had one child at the time.

I said, "I think you're right."

So now, from the time you started until this job came up, about how many years were you in mining?

Fourteen years. Went from 1926 to 1940.

That's when you took over as deputy mine inspector?

Yes, September of 1940. Anyway, we had a deal amongst ourselves that if any one of us ever wanted to quit or for any reason leave the lease, they'd hire somebody in our place and pay them wages, and then divide whatever it was. In other words, after we paid him his six dollars a day, then the average that came over that, we divided it. It came to so much a day, and each man had so many days, and he got his share of the pot, and he paid off whoever he had working for him. So I hired a man, and I think there were thirteen days left in September, because I told them, I says, "I'm going to be deputy mine inspector, and I'll hire Louie Lazarini to work for me." And during those few days, he made me a couple of thousand dollars there of profit, and that was that. But this stope developed into the biggest, most valu-

able pot of ore that had ever been found in the Bristol Mine. They let my partners work until the end of their lease, and then they cut them out. They'd all made over fifty thousand dollars a piece. It killed two of them; they drank themselves to death. And if I'd have been there, they wouldn't have cut us off, because Mr. Beuhler was the general manager, and they would at least have given me another three- months option. But in not much more than a month, the six of them made around fifty-thousand dollars each, and then the company took the lease back. They operated that for years and years and years. Every time I went back to inspect that mine, I'd go see my baby and the millions of dollars that I'd passed up, so that my son wouldn't have to get one leg shorter than the other going along the sidehills.

So did your part of the partnership end after September? You didn't get the fifty thousand?

No. I was out. I just got whatever they got in the rest of September. In the rest of the month.

Art, I'd like to go back and have you talk a little bit and describe some of the characters you met when you were mining in the early days as a youngster.

Well, unfortunately, I can't remember most of the good ones on short notice. One character we had in Pioche was named Dirty Curly. He was called Dirty Curly because he always appeared to be dirty, but he actually wasn't dirty. He just was unkempt. I forget Curly's name now, and I shouldn't forget it, because one of his brothers was a very prominent doctor in Cedar City, Utah. I went to him when I began to get cauliflower ears, and he took

care of that, and I didn't get the cauliflowers. Curly came from this very well-educated family, as I just mentioned. One brother was a doctor. Others were professional men. Curly was a musician, and "John Barley-Corn" got the best of him, and he finally wound up on the streets of Pioche. Curly had built himself a little cabin up there to live in down at the local garbage dump, made out of boards and whatever scrap he could find, and he found various beds. Actually, he had some pretty comfortable quarters, from his point of view. Wherever you saw him—and he was the friendliest person, very well spoken, very well educated—he was always well dressed. He had suit pants, white shirt, always a tie and a coat and always a hat. They were never pressed and not too clean, but . . . I won't say "not too clean," because he did wash his clothes. He just looked unkempt. When he met a woman on the street—and he knew the name of every woman in town—he bowed, and he greeted them by their name and passed the time of day and was happy to see them. The ladies, I think, all of them would have liked to have taken him home and dressed him up with nice clothes, but, of course, that wasn't to happen. And the men all liked Curly; he was just so friendly and so well accepted. He loved to play the piano, and he was an excellent pianist. Probably, in his day, he was what we'd call a long-haired piano player.

He liked the classics?

Yes. There were pianos in some homes in Pioche in those days, but any saloon that was worthwhile, worth its name, had a player piano. He'd go in on occasions when there weren't too many people and ask if he could play the piano. Naturally, the owner or bartender, who-

ever was in charge, said, "Certainly!" Everybody liked to hear him play. The reason they didn't want him to play when the place was full was because they were in the business of selling food, and if Curly was playing the piano, everybody was around the piano. So that was the only way he'd get to play the piano.

We'll go back a little. At the Bristol Mine, they had a school, and they got a new schoolteacher every year. The school board was composed of three of my dancing friends who were young married women, and, in fact, it was quite a congenial, young married group there of which I was a member, but I wasn't married. But every year, they'd get a schoolteacher, and knowing that she had to be entertained and taken to the dances, as there was nothing else for her to do in this lonely mining camp, they would just assume . . . sort of expected me to squire the teacher. I was the only . . . well, I wasn't the only eligible young man, but the only one that was associated, in a sense, with this young group. So when the applications came for the coming school year, and they got the applications from the various applicants, they'd show me the picture and say, "Which one do you want?" and I'd pick the girl that looked the best or that I thought would be more fun. This particular year, 1934, they showed me the pictures, and one of them stood out.

I says, "Get that one." And they got that one, and when she came, a revolting development occurred. She was engaged to be married. That didn't make any difference, with the exception that she might not want to go to the dances with some strange man. It really didn't bother me. I didn't intend to jump anybody's claim or attempt to. But she was invited to the various parties, and I was invited. And it was only natural, I assume, and particularly going to dances, because she was a beautiful

dancer, and I had a reputation, and we got along fine. In fact, in those days, at the end of the dance, they'd have a prize waltz. That would be the ending of the dance. And the best waltzers always entered the contest. The couple that always won this prize-waltz dance were named Albert and Della Delmu. And they were great friends of mine, too. They were ranching people. They owned the Delmu Ranch about eight or ten miles out of town. It was quite a ranching family. When my wife and I (who wasn't my wife yet) attended these dances, we began getting into this prize waltz, and as time went on, we were the only two couples left on the dance floor. We'd win it one week; the Delmu's would win it the other week. The judge would say, "You two really won, but we've got to be fair about this."

Your wife to be, what was her name?

Naomi Bremenkampf. Good German name. She was engaged to a very nice young man who would graduate as an attorney. And he did and became a district attorney and, unfortunately, he passed away as a young man.

Naomi was a piano player. During a dance or right after a dance, this young group that I associated with would usually go somewhere or other and have a cocktail before starting out for our home mine, which was twenty-five miles from Pioche. The only places to go were in the saloons, and some of them had a nook back somewhere, where you could go and have a friendly drink. My wife didn't want to be associated with any bums that went into saloons, and the group was going into the saloon right next to the dance hall. Naomi said no, she didn't want to walk through there. We told her that there was a place in the back where they'd serve us, and she didn't

have to be bothered with any bar stoops or anything. To get there, we could go in the back door, and she wouldn't have to go through the crowd, so we did. And toward the back was where the player piano was, and as we went in, Dirty Curly happened to be playing the piano. My wife just stopped, and she was just shocked that Curly was playing one of those long-haired tunes that nobody understood, but everybody liked. Music is music, and if you like music, it comes out. And she just . . . she was just stymied. She said, "Oh! Who's playing that piano?" And we told her about Dirty Curly. She later became acquainted with Dirty Curly. And he was very, very courteous, and he told her that he heard that she was a wonderful piano player. Curly died, and when he died, he had the largest funeral of anyone I've ever seen in Pioche. High mining officials, high politicians, none of them ever had a funeral like Dirty Curly.



Let's go back now. I'm interested in how you and your wife ended up together.

Well, the school teacher was furnished a cabin, but she had no running water. She had to go to the nearest water supply to get water. Right across the street from her cabin was the home where my mother and family lived, so she used to come over there and get her water. If I was around, she made conversation. One day, going toward late fall, she said, "I understand you're quite a duck hunter."

I said, "Yes, I am. They call me the old duck hunter."

"Oh," she says, "I just love to hunt ducks."

I perked up my ears. I says, "Not often that one hears a woman likes to hunt ducks."

She says, "Oh, I just love to get out and watch the dawn break and listen to those ducks come in to the decoys, their wind whistling." Oh, I could tell that she was an experienced duck huntress.

I said, "Gee whiz!"

She said, "If you could arrange it, I'd certainly like to go on a duck hunt. I miss duck hunting."

I said, "Oh, hell, that can be arranged," because there were ducks all over that country—that is, not close, but within an hour or two of Pioche. I knew every duck spot, and I was the old duck hunter, and I was good at it, and I worked at it. So I made an appointment. "Oh," I said, "What kind of a gun do you shoot?"

She said, "Oh, any kind. Don't matter."

I says, "Well, would you like a twelve gauge or a sixteen or a twenty?" One's lighter than the other. I did know some old women that did like to hunt ducks, these old-time women. They could take a double barrel, and they mostly had hammers in those days. She said, "Oh, any kind," and she says, "I can handle anything."

I said, "Well, is a twelve gauge too much for you?"

"Oh, no," she says, "I can handle a twelve gauge." So I had three or four guns, extra guns, and I decided to take her to a place in Pahrnagat Valley. There were several lakes down there of various sizes, and the ducks, in those days, were just plentiful. There were ducks all over. So on this day, I didn't have a dog, and I picked out a place by a cliff that was a good flight line for ducks. The lake had kind of dried up a little, and for the first hundred yards from this ledge was kind of thin mud. Since we didn't have a retriever, I didn't want to drop any ducks down there, because it would be too much trouble to get them.

So I told her, I said, "Don't shoot anything over that mud flat, because we can't get them." And jokingly, I said, "If you drop a duck over there, you go get it." The first thing she did was drop a duck over there. I said, "Go get it." It was a big bull sprig.

She says, "Oh, well, you'll get it."

I says, "No." And I didn't. "I told you don't drop a duck over there, or you'll go get it. You're going to go get it. I don't kill ducks for anything else and leave them. If I shoot it, I'll eat it." She finally went and got that duck. She was pretty muddy when she got back, and she was pretty aggravated, too. Before we left, I'd bought a pint of rum, and the brand was Lazy Bones Rum. After we got through hunting, during which we didn't speak too often—she didn't get over that, having to retrieve that duck—we got in the car, and I had a brand new Dodge sport coupe, and we had a few drinks. I'd taken lunch: sardines, crackers, whatnot. And we stopped by the side of the road and had lunch, and we didn't have much to drink. I hadn't thought about taking anything to drink, so I drank a few slugs of rum, and she didn't drink any rum. But by the time we were through lunch, we were on a talking basis again, and we decided to go on home. I hadn't gone very far until I ran off the road. You may think you know what you're doing when you're driving under the influence, but you really don't. It wasn't serious, except I couldn't get back on the road. And there was very, very little traffic in those days. I knew somebody would come along eventually, and eventually somebody did, and it was a friend of mine who worked for the highway department. He had a big truck, and he stopped, and only a matter of a minute to get us back on the road. We started back for Pioche, and by the time we got to Pioche, we'd had a lot of serious talking and con-

versation. One thing and another, and darned if we didn't start just kind of going together a little bit more, and before you knew it, we decided to get married.

We had one complication: this was during the Depression, and married women were not hired to teach. If a single teacher married during her school year, they let her go. Jobs were too scarce to have a married woman doing the teaching. So we thought we'd better get married, because things were getting serious, but nobody must know about it. So one morning, bright and early, we got in my car, and we drove over to Parowan, Utah, which was a distance of about 130 miles. We went to the courthouse—by then it was late in the morning—and I bought a marriage license, and we asked for whoever did the marrying, I can't remember. If I could remember the justice of the peace I found out where his office was, and I went in, and this justice of the peace was also the county assessor. He had a couple in there with him, and they were in an argumentative mood. They were talking loudly back and forth to each other, and we stood in the doorway there kind of lost. He finally looked out and says, "What do you want?"

I said, "Well, we want to get married."

He says, "I'm busy."

"Well," I said, "we've come a long way, and we'd certainly like to get married."

He says, "Do you have a license?"

I says, "Yes, we do."

"Do you have any witnesses?"

"No, we don't."

"Well, come on in." We went in, and he says, "Let's get this over with." He introduced this couple. I can't remember their name, of course, but I guess it's on our wedding certificate. He married us without any niceties

about it. He wanted to get it over with, and he says, "All right, you're married." And he just ignored us.

I said, "Well, how much do I owe you?"

He said, "Not a damn thing. Just get out of here. I'm busy." And it developed that this couple that were there were large sheep owners, and he'd assessed them what they thought was too much, and they were objecting. So that's the history of our marriage.

And did you keep it quiet?

Well, we kept it quiet as long as we could—probably a week or more—but there was a woman lived right below, her cabin and my mother's house, and she had to know. Her name was Susie—it slips me now, her last name. Her husband was the mine carpenter, and she was a very good cook. She knew everything that went on, and she saw me sneaking out of that schoolteacher's cabin about four o'clock one morning. Before anybody got in trouble, we had to admit that we were married.

We'd asked, when we were married, that this not be given out to the press. And he said, "Yes, that's all right. We'll take care of that." He probably didn't even know what we were talking about or paying attention to it. But anyway, along about the time Susie decided there was something wrong with the schoolteacher, the *Salt Lake Tribune* came out, and there was our marriage. I tried to say, "Well, that isn't me. There's got to be another Art Bernard."

But they said, "Maybe there is. But there's not another woman with that name, Bremenkampf." [laughter]

[laughter] So there you have it.

So we've been happy ever after.



Now, I would like to go back to talking about some of the mining characters. You told me earlier about one named Stumpy. Would you tell me that story again?

Yes. He was a little one-legged fellow, missing his right leg at the knee, and he was a very small man. I don't think he'd weigh over 125, 130 pounds. He was about five foot five or something. You really wouldn't expect that he could do a day's work in a mine, because mining is hard work, but he did, and he was a very well spoken man, very intelligent. For some reason or other, he didn't get along too well with the other miners. He just wasn't the kind that went to town and got drunk or anything, so he didn't have very many friends. I liked him, and I'd spend as many evenings as I could with him out on the mine dump. There were beautiful sunsets from this altitude where we were, and we could see hundreds of square miles of desert below us. He just loved to talk, and he evidently knew quite a bit about geology. He told me many times that one day there would be gold mined in this state, all over this state. He says, "You can go down on that flat anywhere and dig a hole and pan it, and you'll find gold. You'll pan some gold. It may be so infinitesimal that you can't see it, but it's there." He says, "Some day, they're going to figure out some way to mine that infinitesimal gold, and there's going to be a big boom in gold mining in Nevada." I'll never forget that, because it came to pass about twenty years ago; the open-pit mining started in this state twenty-five years ago. I don't know how much gold had been mined since those days, but as I mentioned to you the last time, when I was mine inspector, I wrote a paper for the American Mining Congress

in Denver. I had done a great research and had the production from every mining camp in the state. The Comstock had produced something a little over one and a half billion dollars in gold and silver, and I often wondered how much has been produced in these open pit mines since that time.

I'm sure that's a small amount compared to what they're doing right now.

I would imagine. I'm very interested. I'd like to know.

When I went to work as a deputy inspector of mines in 1940, and we had the episode at Pearl Harbor in 1941, gold mining as such came to a stop in Nevada. They passed a law in the Congress to eliminate the mining of gold, because the gold was not necessary. Strategic minerals were, and the material was unavailable. The gold mines couldn't get anything. Labor became scarce. Everybody that could be called to the army went to the army.

When the Japanese attacked Pearl Harbor and L-208 came out of Washington, and the materials for mining became not only scarce, but practically unattainable, gold mines ceased to operate. The few that were still limping along on the Comstock had to close down. But mining copper got a shot in the arm, which started a boom in the Rio Tinto at Mountain City and, of course, in Ely, which was a large copper deposit anyway. My job, then, was just to inspect mines to the best of my ability and see that the mining laws were not violated due to loss of material that may have been necessary for safety reasons.

So all your inspections were focused on safety, were they?

Yes, but I got along good with all the mine operators. I gave them a lot of good advice in my inspections. When I'd find something in a mine that was more or less detrimental to the safety of the men, that may not have been in the mining laws, I'd make suggestions. I found that every mine operator in the state was most cooperative. They were as interested in the safety of their men as . . . in fact, much more so than the men were themselves. Practically every accident that occurred was due to miners themselves being careless and not observing the laws that were enacted to protect them.

What were some of the safety measures that you looked for back then? We talked about how some of the early hats were just cloth hats and so on. Did you have hard hats by now, steel-toed shoes, other safety measures?

By this time, all those things were coming into effect. In practically every mine, by then, the miners wore hard hats. Not as good as they are today, but they were an improvement over the soft hats.

Any other equipment that was for safety?

Well, I can't remember anything in particular. We just looked for safety measures, like make sure that there were cables and ropes around ore bins where the miner had to tie himself, so that he couldn't be sucked into the ore chute. Various things, just common sense.

Now explain that to me a little bit: tie himself so he wouldn't be sucked in. How does that work?

Well, around every mine or mill, there are chutes—and *in* the mines too—that are full of muck. Muck is the substance, the dirt, that the ore and everything is in. It is pulled out of a chute down below and either on belts or by car somewhere and taken to the mill or the smelter. And this material, being packed together, creates a little hole up through the center and hangs up. Somebody has to get up on top and start it down with a bar or however they have to do it. Many ways that they can get this muck started again. And when they do, it caves in, and if a man is on there without protection, he's sucked right into the middle of this mass of muck and ore.

Like a funnel, pulled down with it?

Right. And I'll bet you that 50 percent of the fatalities in the state are due to men being sucked into these cave-ins in the chute. So the law requires that there be a cable with a harness attached, and the cable attached to some safety measure. The guy that's doing the work is supposed to put on this harness, tie the rope safely, so that if the muck goes out beneath him, the rope will stop him, and the harness will stop him before he gets into this maelstrom that's going out. If they do that, they're safe. But most men—and I myself did the same thing when I was mining—think, "Well, I'll watch it." Fortunately, I never got caught. Some of my friends did. But various little things like that and being careful with dynamite and blasting and making sure that ladders were safe and in good condition, checking the ground and the stopes and the areas where they were getting out the ores to see that they were well timbered and that. There's just so many things that an inspector looks for. It isn't always

necessarily a law that is written, but common sense. And years of experience.

What was it about the job that interested you?

Oh, it was very interesting. Mining is one of the most interesting methods of making a living I've ever found. I never thought I'd ever want to get out of mining.

When you inspected, you lived in Ely. Did you inspect only a certain area, or all over the state?

I had half of the state. I had what was called the northern part, which was about 80 percent of the mines. I was traveling practically at all times, and my areas included all the mines in Pioche, everything north: Mountain City, the Victoria. I can't remember all the mines now. The Nevada Massachusetts up in Humboldt County, the Cordero Mine north of that, Ely. Everything north of Tonopah. I was on the road continuously, and I thoroughly enjoyed it, not only because I enjoyed inspecting the mines and enjoyed meeting with the mine operators and the miners and listening to what they had to tell me, but I got a lot of information from the miners themselves of what was going on in this one particular mine.

Everywhere I went, I had to cross a creek, a duck marsh, sage hen country, or pheasant country. I always had a gun in the car, and I always had a partner riding in the back seat.

Your partner—meaning your dog?

My partner had four feet.

So this was one of the side benefits of your job, right?

Yes.

You got to do plenty of duck hunting. Well, OK, and so you were deputy mine inspector for about how long?

A little over six years. In March of 1947, Mr. Murphy, Matt Murphy, the state mine inspector, died, and I was appointed state mine inspector. Then I had the whole state under me. I still made many mine inspections myself, but I had two deputies. One took over my territory, and the other one took over the southern end of the state, which didn't amount to anything. All there was, was two or three little one- or two-men operations around Clark County and the big pit at Gabbs.

This was after the war, 1947. Was gold mining coming back then?

Not yet, no.

What was happening in mining around the state?

It was slowly dying. Most of the underground mines curtailed, and eventually, most of them went out of business. They just couldn't Mining continued to be more expensive: material cost more, labor cost more, but the price of minerals went down. So, eventually, the only mines that were working were the pits in the Ely area, Gabbs, and a reoccurrence of pit mining in Virginia City. But mining was on a very small scale. Ely was copper, and Gabbs was magnesium. Virginia City, there was

still the old gold and silver, but they were now pit mining where they'd mined underground before.

So pit mining was starting as early as late 1940s, early 1950s, but not on a huge scale?

Well, yes, gold pit mining. I'd say it was about the 1960s before the gold really got started in the state.

Now, were you still mine inspector then in the 1960s when that all happened?

No, I was a state mine inspector until the end of 1950. Three and a half years. Then I went down and took over the prison.

You mentioned a couple of people that you knew who are famous to Nevada, and that's Wingfield and Getchell. Could you describe those two and your relationship with each of them?

Well, George Wingfield, of course, has been . . . everything that you can think of has been written about him, good and bad. My relationship with George Wingfield and Noble Getchell was that they owned the Getchell mine and mill, north of Golconda. On one of my first inspections there, I found it very sloppily controlled. They were just violating pretty near every mining safety law in the state. I found a young man there, a superintendent and one that was a foreman. Our personalities clashed, and I'd told him what I wanted done, and they didn't do it. The first thing that happened after that, I got a call, and they had a fatality, and when I went up, it was one of those ore chute deals. I told them to put a cable

and a rope and a harness, and they hadn't done it. A guy went in there and was killed. So we had a hell of a set-to, and I gave him strict, rigid instructions on what to do and how damn soon to do it. I said, "If you don't do it, I'm going to shut you down." So I went back right soon and made another inspection without giving them too much time to fool around, and they weren't doing it, so I just gave them orders that we'd stop those operations, which, of course, then they got very serious. Their chief engineer and geologist was named Roy Hardy, very important mining man, famous in this state. Noble Getchell and George Wingfield were the owners of the mine. So they called up Matt Murphy, and, of course, they believed their superintendent, everything he said.

They wanted Murphy to fire me. Murphy says, "I wouldn't fire Bernard. He's the best damn deputy inspector we've ever had in this state."

It was Getchell and Wingfield that called Matt Murphy and wanted you fired?

Yes. Well, I don't know who called. It was probably Hardy, because he was in charge; he was the manager. Matt said, "No way." He said, "I want a meeting up at your mine." He says, "I'll bring Bernard, and I'll come with him, and I want Hardy up there. Let's see what went on and what we're going to do." So we did. To make a long story short, after we got through inspecting the mine and what I had ordered done and what they hadn't done and why they hadn't done it, Roy Hardy and I became the very best of friends—one of my best supporters during all the years I was warden, and a very prominent man. I had never met either Wingfield or Getchell, but

over that escapade, I did, and we became the very best friends. They were two of my greatest supporters.

Wingfield was a man that was—I don't know how to describe him, exactly, but if you've ever met George Wingfield, you knew you were meeting a great man. He had a magnetism. Whatever has been said of George Wingfield, I found him to be a man, if he gave you his word, that's all there was to it. You didn't have to have a contract or anything in writing. His word was actually good. I later got in a mining partnership with him, and all we had was a word—my word and his word—and he never violated it.

Where was your mining partnership? Did you have a mine together?

Yes, we did. He and I and Matt Murphy. And Jim Greenen was the mining engineer. It was a talc mine down out of Lida. We had information that there was gold and silver there, and we went looking for it, and we found it, but it was just too small, and it didn't develop into anything, but I got very well acquainted with George Wingfield.

And what about Noble Getchell. Did you get to know him, too, through this process?

Oh, very well, yes. I was a guest at Getchell's quite often. In fact, while I was warden of the prison, and, of course, before, while I was still state mine inspector, I used to go in and have lunch with him as often as I could. They had a famous place there in the bank building, across from the Mapes on the corner. They had a luncheon spot there that reserved for them and their guests.

For years, I went over and had lunch with him when I could make it. I found Noble Getchell to be just as good a man of his word as George Wingfield. He, too, has been called a big crook and everything else, as most people who are successful are called crooks. They don't get there unless they're crooked. Doesn't matter how smart they are or how hard they work. The average person figures if they got anything, they stole it.

So you've read some of the things that have been written about Noble Getchell and George Wingfield. You don't agree with them?

A lot of it before I knew them, and a lot of it after I knew them. I don't agree with them, at all. I knew that in their days when they were young, they did what they had to do. I found them to be honest and honorable.

You became life-long friends with them, did you?

Oh, yes. Life-long friends.

Roy Hardy—you mentioned he was a very important mining man. Tell me a little bit more about him. I know he was in charge of the Getchell Mine. Is that right?

The mine and the mill. He was in charge of all their operations. Gosh, I don't know what to tell you about Roy, except that he was a very good man, a very smart man, a very important man, and a great engineer and geologist.

He knew a lot about mining?

Oh, yes. He was involved in mining from the early days of Tonopah and on until he retired. He became involved with Wingfield and Getchell in the early days, too.

Once you got into being a warden, did you stay involved in mining at all? Did you have mining claims?

No, I didn't. I got entirely out of mining. That prison took up all my time. I was on duty there twenty-four hours a day.

Completely changed your life then, right?

Yes. I got involved with the convicts and penology and all the things that they told me I couldn't do, and I did.

I had another question about mining. Was the Nevada Mining Association organized when you were a mine inspector?

It was organized before I was mine inspector.

And were you involved with them at all? Did you go to any of their meetings?

No, except that I was friendly with all the officials, and at any meeting that they had, I probably attended. I can't remember them to any extent.

And what about the Mackay School of Mines. Did you have any connection with the university?

No, I didn't.

Now, you've told me about one project that you got involved with even after the state mine inspector and the prison, and that was with the Nevada State Museum. Tell me about that project.

Well, when I moved to Carson City, I was friendly with Judge Guild [Clark J. Guild] at the museum. Anyway, the museum was his baby. He started it. And there had been talk about having a mining exhibit, and when I came along, it gave Judge Guild an opportunity to discuss it, a mining exhibit with me. They had just hired a new museum director, I guess, and his name was Tony Green. Judge Guild got the two of us together and told us what he would like to do, and he told Tony, he says, "Work with Art, and between the two of you, come up with something that we can have a mine exhibit." Colonel Fleischmann was one of the directors of the museum who had put up a lot of money and a lot of help for Guild and was deeply involved in improving this museum. Bill Donovan from Silver City had a mill and a mine, and he was on the board. There could have been somebody else, but I can't think of it now. But anyway, they turned over this mine exhibit to Tony and me. So Tony and I got together, and we decided, more or less, that we would build a replica, almost as exact as we could. And we checked our area downstairs and wherever we could, for whatever we could, and we decided on just exactly what they've got there. Now, we wanted to make it as natural, as authentic as possible, so he would go with me on my inspection trips throughout the state, and we'd visit the various mines with the different mining methods. We'd tell the operator what we wanted, and then what help we could get, so everybody was cooperative as they could be. For instance, we had a place down in the museum

where we thought we could have a certain type of a stope, and we'd try and get the exact material that was in place in the actual mine, but that wasn't used anymore, and we took that material—the timber—numbered them, and hauled them down to Carson City, and put them in place just as they were. We marked them. We needed tuggers and scrapers. The museum didn't have any money to spend, so through my friendship with the operators, they agreed to give us anything that they possibly could at no expense. So everything you see down there has been donated by some mining company. We put the actual workings in exactly as they should be, and we set up that man drilling in there and the hoist and everything. Absolutely to scale as they were in whatever mine that we got the equipment out of. And all the mining equipment on display was donated. I donated some myself, personally, that I had from my mining days.

Did you help actually build it, too, or did they have somebody that did that work?

We hired what we could, and I actually worked, and so did Tony, on a lot of it. Actually, Tony and I did that mine. I'm the last living man that was connected with that at the time. Jim Calhoun came after Tony Green. But the mine replica was already built by then. And that's a favorite with the school kids, too, to show them what mining's all about.

When I was mine inspector, I had a wonderful collection of ores, various type of minerals, and I donated them to the Carson schools with the history. I imagine they're still around and being discussed.



Now, you have one son. He wasn't interested in mining, was he—or did you want him to be?

Well, I didn't want him to be, and he was interested in banking. I wanted him to be a lawyer, and I sent him to law school at Denver. He lasted a year, and he called me one day from Denver. He says, "Dad," he says, "I just don't like this, and I'm never going to be a success at it. I hate to waste your money."

I said, "What do you want to do?"

He says, "I want to get into banking."

"Well," I said, "let's take care of that." So I called a good friend in Reno who was in charge of the First National Bank at that time, Jordan Crouch. Anyhow, I could hear him over the phone say, "Oh, God, here's another one that . . ."

I started out with, "I have a son who wants to get into banking."

"Well," he says, "I don't know what we can do. Has he got a background? Is he going to college?"

"Oh," I said, "he graduated from college, and he just had a year of law school in Denver, but he wants to get into banking."

He says, "He's had a year of law school?"

"Yes."

He said, "Send him over." He told me, he said, "Send him over, and just have him ask for me." So I sent him over when he got here, and they put him right up in some department with a lot of responsibility.

You didn't want him to go into mining because it's a hard life?

Oh, it's a hard life. It's moving from here to there. Even if you're good, when you just about get your family settled, you get sent to another mine, another country, another state. You're always getting moved. But it's better than not having a good job.

So there were some hardships on your family, then, from moving around?

Well, yes. Yes.

But you managed, with going on to the state jobs, you managed to stay put for periods of time and to stay in Nevada. So that's a little different than some of the tramp miners.

Well, I was state mine inspector. When the war started . . . tin is an essential product in whatever tin is used in, in war. And during the war effort, they needed tin. Our sources in South America were gone, and they were looking for tin. Someone learned that there was a deposit up in Rabbithole, that they'd found tin.

Now where is that, Rabbithole?

Here's Lovelock, there's Gerlach, here's Winnemucca, and Rabbithole is right in the middle of that triangle. It's a desert. It actually could be called part of the Black Rock Desert. There was some gold mining and some mercury mining in that area—quite a bit of small stuff. So, naturally, the government was looking for tin, and Senator Scrugham, James Scrugham, and I had been friends for many years. He was one of the first men I met when I came to this state, and he was campaigning for reelec-

tion as governor—he was governor at that time. In those days, the various candidates traveled in groups. All the Democrats got together, the governor, or the mine inspector, the state treasurer, and everybody, they'd have a big group, and they'd travel the state campaigning. They'd try to make every mine, and I was real new at the Bristol Mine yet at that time, and it was built on a dump. The bigger the dump got, the bigger the camp got. So the candidates would come up there. They had their envoys from every county who were familiar with the county politics and knew where to take them, be their guide. And they'd come up, so the county chairman of the Democrats would get all the state officials and bring them up to the mine in the evening when they could meet most of the miners and other people, if there were any around. At that time, it was during prohibition, and all the candidates had their particular lackey that stayed with them. They'd have a box of cigars and a gallon of whiskey, and they'd meet the potential voter, and they'd give him a cigar, and they'd give him a drink, either or both. And, of course, "Vote for me. I'm the best man, blah, blah, blah, blah." I was just a kind of a scared kid yet, and I didn't stay in the group with these people, because I knew I couldn't vote. So, I was over leaning against the boarding house on the dump, sort of leaning against it, and a fellow came over, a little dumpy looking fellow, and he had a box of cigars, and he says, "How you doing there?"

I told him, "All right."

He says, "Have a cigar."

I said, "I'm sorry, I don't vote."

He said, "I didn't ask you if you vote. I asked you to have a cigar." He said, "Do you smoke?"

I says, "Oh, yes."

He said, "Have a cigar." I had a cigar. He says, "My name is Jim Scrugham." He said, "I'm campaigning for reelection as governor." He said, "I'm sorry you can't vote for me, but maybe some day you will."

I said, "Well, I'll keep you in mind," you know, just talk is cheap. And by George, as time went on, Jim Scrugham and I became very good friends. I was always a great hunter, and I always managed to get into the best hunting places with the best hunting people. This family that I told you about, the Delmus, had ranching interests out north and east of Pioche, and they had one ranch up in the mountains about thirty or forty miles from town. It was an old homestead, and they had a nice meadow. Whoever homesteaded this, many, many years ago, built a home as good as they could and corrals and barns. Of course, they couldn't make a living. They went broke, and eventually the Delmus bought it for a summer pasture. It was good deer country, so we used to go up there and shoot deer every fall, and the particular group, everybody could do something. We eventually built a new ranch house, and it was actually a hunting lodge, but it was nice. Every fall, we'd go up, and we'd take friends that any of us had. Scrugham happened to be a friend of Joe Delmu. I met Scrugham two or three years after I originally saw him, and we got reacquainted, and he joked about the time that he came up, and I said, "I can't vote." We became life-long friends. Every year, if he could make it, Scrugham came up and hunted deer with us.

So in 1941, after Pearl Harbor, they were looking for tin, and the word got out that they had this tin deposit up in the Rabbithole. Scrugham decided to go up and check it out. He took two of the best brains in the Bureau of Mines, both geologists and engineers, to check this out. One of them I knew; his name was Jim. Anyway, I

met them at this little town out between Winnemucca and Lovelock. There's a little town in there, and I just can't remember it. It was an old railroad station many years ago. Anyway, the road to this area that we were going to, took off there, so Scrugham had a driver take him to Ely, and then from Ely, I took him in my car, and we went up to the Rabbithole and met all these others who came in with a guide to investigate this tin deposit that this prospector had. Sure enough, in the various canyons at the bottom of the canyon In the olden days, there were quite a few little mines around; there were still cabins here and cabins there and cabins up here. The two geologists from the Bureau of Mines had somebody with them who was an expert at determining whether this gravel had tin and how much, by some kind of a method he had with some acids and whatnot. So, by this time, we had quite a group of prospectors that came that knew this was going on. And we'd go to this canyon where this old prospector said there was tin, and we'd take up a sample. And this guy used some kind of a solution with zinc in it or something. Anyway, I think they called it the zinc test. And it had so much tin, not good enough. Not enough value in it. And we'd go up higher, which the tin was supposed to come from the top, come down, be washed down. That's why you found gold in the bottom of a canyon, and you went up, and the higher you went, the more valuable it got. But in this tin case, the higher we went, the worse it got. And when we finally got up to a certain elevation, there was no sign of tin at all. Go over to the next canyon, find the same thing. In the next canyon, find the same thing. Spent all day there.

The crew was supposed to break up, and Scrugham was going back to Washington, the two engineers were

going back to Washington, all the old prospectors were going back to their cabin, and I was going to take Scrugham back to Oreana, and someone would meet him there and take him to Las Vegas. Scrugham called the group together; he says, "Now," he said, "why do we find values at the bottom of the canyon, and the higher we go, the worse they get, and the values are supposed to come down?"

I didn't say anything. That was out of my scope. He nailed the two engineers. He was a very smart man. I was involved with him in a deal where he was the engineer of a mining company from New York, called the New York Mining Company, with some other initials there, I can't remember, and they took a lease and option on some claims that we had a lease and option on, and nothing developed from them, but Jim and I got well acquainted, and I liked him, and he was a very smart man. He singled out these two men. He says, "Now," he says, "you are engineers and geologists. Explain this to me." Well, they just couldn't figure it out. He turned to me, he says, "Art, what do you think?"

I didn't know what to think. Christ sake, they're the best brains in the country, and they don't know what. I sat there, and I thought, "Well, you know, I've talked to a lot of geologists in my time," and I thought for a minute, and I says, "Well, I'll tell you what, my impression is that it didn't come down. It came up."

He said, "What do you mean, it came up?"

I said, "One time this land was all covered with an ocean. There were undercurrents. The undercurrents wash and wash, and they washed ashore. They washed ashore, and they'll move anything. They'll move gravel, they'll move big boulders, they'll move anything in their way." I remembered old miners telling me these things

about the desert, you know, guys like Stumpy. Once this was all covered with water. The more I talked, the more they were all listening, the more encouraged they got, the more encouraged I got, and I says, "And I think that's what happened. I think if we go down right in the middle of this flat anywhere and sink a shaft, we'll find tin." I says, "It might be too deep to go after, but that's where it came from, the bottom."

Scrugham turned around, and he says, "I bring the best brains in Washington, and a miner from Pioche has to tell me what's happened." So I took Jim back, and when we got to Oreana, he says, "We're in the middle of a serious war."

And I said, "Do you think so?"

He says, "I think so." He says, "In fact, I know it." And he says, "We're losing ground all the time, and we're losing mines in the Philippines. We're losing railroads in France." He said, "Pretty soon, we're going to stop running, and we're going to come back, and we're going to start taking those things again." He says, "We're going to need somebody to run the mines; we're going to need somebody to run the railroads." And he says, "That's where you come in." He said, "I'll get you a commission in the army starting out as a major." He says, "Major. That's a good start." And he says, "Within two years, you'll be a general. I'll see to that."

I said, "God, I've never even been a Boy Scout."

He said, "You don't have to be." He says, "You don't know what we're commissioning in this army." He says, "The dumbest clucks on earth are getting commissions in this army." He says, "We need men like you, because we're going to be taking back those mines in the Philippines, and we're going to need men to run them,

and that's what you're going to be: one of the men that runs them."

"Gosh," I said, "Jim, I don't know." My oldest daughter was just about to be born.

He said, "I'll be in Las Vegas," and he gave me his address. "You tell me."

I said, "I'll talk this over with" I thought, you know, this isn't going to be bad. Being a general ain't too bad. I went home all enthused, and my mother-in-law, who lived in Reno, happened to be visiting her daughter, because time was getting close.

I told them that I was going to be a general in the army, and Scrugham had labored it out. I was going to be a major, and then you have to be in so long before you can be promoted again, and so long before you can be promoted again. He figured it would take two years to go from major to general. He says, "I'll see that that happens."

Well, my wife started thinking about, "What am I going to do here with one child and one to come?"

And my mother-in-law laid in. She says, "All you want to do is go in and wear a uniform and show off, while my daughter is here on the verge of death." And so, I didn't Oh, Scrugham had told me, he says, "You're not too old. You could be drafted, be a G.I." So I called Scrugham and told him I couldn't take the appointment. And it's a funny thing. Along came a time when I got a notice from my draft board in Pioche to report to Salt Lake, Fort Douglass, to be examined for the army. I was thirty-four years old, I had a bad back, I had a nose I couldn't breathe through yet, then—I had it operated on since. I went on a bus with other inductees that picked me up in Ely, and they called me Grandpa before we got

to Salt Lake. They were all eighteen, nineteen, twenty-year-old kids.

I was there two or three days, and I went through the mill. Half of these kids didn't make it. Christ, I passed 100 percent, and they had a lot of army officers and navy officers—doctors doing the inspecting. And the fellow that inspected my back was a lieutenant colonel in the army. I said, "God," I said, "I've got a bad back," and I did at that time. I was under industrial commission care, and I had more damned harnesses than a twenty mule team that they'd bought me.

"Oh," he said, "you'll get over that." The next one that checked me was my nose. He was some damn thing in the navy, big high . . . I don't know what the navy commissions are yet. He wasn't an admiral, but he was pretty high.

I says, "I can't breathe." I noticed they'd been passing guys that couldn't breathe, guys with bad backs.

"Well," he said, "you're doing all right now."

We were sitting on a bench, a long bench, and just one after another after another after another. I was sitting there, and beside me was a young fellow about five foot five and five foot five around. Just a blob of a young man with white skin and varicose veins as big as my fingers. One of these officials from the army was coming along and hitting us on the knees and checking our reflexes. Hit me on the right knee, hit me on the left leg. He hit this guy on the right knee, nothing happened. He hit him harder, nothing happened. He hit him hard enough to break his knee, and nothing happened. He went on. He passed.

With a broken knee cap, right?

[laughter] Damn near had. Anyhow, I passed with flying colors, and then I thought, "Well, now I'll call Scrugham and get that commission."

I called Scrugham; I couldn't get ahold of him. I couldn't make connection, but I got his chief of staff who knew me, and I told him what the problem was. He said, "Art, Jim can't help you." He says, "This is not supposed to get out." He says, "Please keep it under your hat." And he says, "He's going to die in a day or two." And he was. Somebody had him hidden out some place around Las Vegas. He says, "He's in very bad shape," and he did die two or three, four days later. So I'm about to go into the army as a G.I., and I had a job as a deputy mine inspector. God, all I had to do was say I don't want to go, and I would have got a deferment. In fact, Joe Cohen, that brought me the shirt when I fought Jake Keele, was the chairman of the draft board, and along with this notice to appear was a note, "Art, if you want a deferment, just whistle."

And my wife says, "Well, that takes care of that."

I says, "No. By God, I'm going to go."

So I went to Salt Lake, I'm cleared for induction, and I got back to Ely, and the word got out that I was on my way to the front. I'd known the superintendent at some little mine in Osceola. He was superintendent of a small mine and mill, Ray Wimberly. He had been a captain in the reserve during that time, and now he'd been called in. He was headed for Italy to do something, I don't know what. They were invading Italy at the time, and he said, "Art, I understand you're to be inducted."

I said, "Yes."

He says, "You speak Italian, don't you?"

I says, "Fluently."

He says, "God, I need you as an interpreter." He says, "I'll make arrangements that you're going with me as my interpreter."

I says, "That's just as good as any, as far as I'm concerned." And before he was called in, the war was over. So I missed going into the army.



I'm curious about one thing. I want to go back to your time in Pioche before you went to Ely. Did your mother eventually move to Pioche from Utah?

She moved from Utah to Illinois, and then I got my stepfather to come back and work at the Bristol Mine where I was, and my mother then moved the family to Pioche.

So your whole family was there, then, for a period of time?

Well, she moved to Pioche, and my stepdad moved to Illinois to a place called Highwood, and I went back there with him and stayed the summer, but I couldn't stand that flat country and various things connected with the union, mainly. I came back, and a year or so later, I got my stepdad in as blacksmith and mechanic at the mine. And then my mother and family came back to Pioche. They stayed in Pioche until they built a house for them at the Bristol Mine.

Compare Pioche to Ely. What did you like about the two of those?

Well, Ely, of course, was a much bigger town than Pioche. By the time I got to Pioche, Pioche was not the

hell-roaring camp it used to be back in the olden days. It was a typical mining camp. A bunch of houses stacked up on the sidehill in a canyon. Ely was about the same thing. Main town in one canyon, another town called Ruth in another canyon, and another town called Kimberly in another canyon, and that made the Ely area. I liked both towns. I'm always happy where I'm making a living. And I was young. The weather didn't bother me in those days like it does now. It gets awfully cold.

Of course, you were on the road a lot.

Yes.

PRISON WARDEN APPOINTMENT

***H**OW DID YOU end up being at the prison?*

Well, that's a long story. When I was "paroled" from mine inspector, I naturally . . . that was my game, and I made arrangements to go to work.

How did you get "paroled" from mine inspector? Was it a political thing?

Political thing, and I was defeated in the general election. It was an elected position in Nevada. My opponent was an assemblyman, and he was tied in with labor, and labor decided to elect him, which is political, and they did a good job.

So you had to run a campaign and everything?

I had to run a campaign, and I got in a jackpot with my fellow Democrats. While I was mine inspector, the various state officials made out their budget every other year, and the budget that I was working on had been Matt Murphy's budget. When the new budget term came along, I had thousands of dollars left that I hadn't spent. So I just let them revert. And the governor, Vail Pittman, called me in his office one day—and the budget director. I had known Vail Pittman for many years, in fact, had lived next door to him in Ely. They told me that I couldn't let this revert. I said, "Why not? I don't need it."

"Well, if you let that revert, it'll look bad for the other departments."

I said, "What am I going to do with it? I can't spend it. I don't need anything."

"Oh, buy some typewriters. Buy a car."

"I just bought a car."

"Buy another one."

I said, "No, I just won't do that." So they called me in a little bit later, and to make a long story short, they told me that I was not cooperating, and that at the next election, which would be in 1950, they had the hatchet, and they were going to cut me down. I said, "Well, you cut me down, you're going to need a double-barreled axe," because I knew I sat pretty good with the miners and the mine operators. I knew that the union would be against me, but I didn't realize how many union workers there were in the state. I didn't realize that these hotels had thousands of employees—each hotel had as many employees as most of these mining towns had—and that they were all union.

So it wasn't union workers in mining that were against you—it was unions in general?

No, the unions were all in restaurants and the casinos. So when the votes were counted, I was beaten by more than 5,000 votes in Clark County and by almost 5,000 in Reno, which amounted to about 10,000 votes. I lost the state election by 700. All the mining camps supported me, and the mine unions, everybody in the mining camps.

So I made arrangements, then, to go to work at where they have this bombing range in Las Vegas [Mercury Test Site]. When the Democratic machine beat me in the primaries, I went in, I told the governor, I says, "You did what you said you were going to do. You cut me down." I said, "Now, I'm going to cut *you* down." I says, "You beat me in the primary, I'll beat you in the general."

Governor Pittman says, "You go ahead. Be my guest," in effect.

Charles Russell, a Republican, was also an old friend of mine and a very good friend. In fact, we were lodge members in Ely for years together, belonged to the same service clubs, went out socially together. He was a little older than I, but not much, and we got along very well. I knew Charlie to be one of the finest men I've ever known, absolutely honest. I knew that if he were elected governor, he would be one of the most honest in history.

So I put the word out amongst all my friends in the mining camps and had a few columnists in the state that took it up, and when the votes were counted, Charlie Russell won by 10,000 votes, and the mining camps who were registered almost solid Democrat voted almost solid for a Republican. And that was all my mining friends. They all came to talk. And I thought nothing of it, except I was very happy that Charlie had been elected. I did my best for Charlie, and he was elected by a huge majority, and most of the places he carried were predominantly

Democrat. And he, as a Republican, carried those towns and counties by huge percentages, and those were the counties that I was campaigning in. After the election, many of the political V.I.P.s contended that Art Bernard had elected Charlie Russell. Of course, Art Bernard hadn't, but couldn't stop tongues from wagging.

During the time of election, in November and in the coming January, I had made arrangements to be connected with other mining ventures. I had one son in high school and two girls in grammar school. They would be moved in the middle of their term, and that bothered me a little bit, but it had to be done, and my wife and I were making preparations to go to where I was going to work.

I think it was the third of January, I got a call from Charlie [Russell], and Charlie asked if I could come down. I said, "Sure, you bet."

I went down, and he said, "What are you going to do now?"

I told him where I was going mining, and I also told him that I was sorry to go, because my kids were in school. However, this job I was going to was paying me a lot of money, more money than I had been getting, so there was recompense.

Charlie asked me, "What do you want out of this election?"

I said, "I don't know what you mean."

He says, "What kind of a job do you want?"

I said, "Well, I hadn't given it a thought. I'm a miner."

He says, "Yes, I know you're a miner," but he says, "I'd like you to go to work for me."

I said, "Doing what?"

He says, "Take over the state prison."

I said, "Charlie, I don't know anything about a prison. I've never even visited one. I don't know the first thing."

But I knew that this prison had been making the news for years. They had all kind of troubles, too numerous to mention. That had been a sore spot for years and years—things that were allegedly going on—and the place was always running out of money. The legislature was always having to re-fund something, because they were running out. All the back alley talk about what was going on at the prison—I'd paid no attention to it, because it was none of my business, and I knew nothing about prisons, anyway. There's always tales coming out of prisons in the papers, whatnot.

He says, "Well, I know you don't know anything about a prison," but he says, "I know you, and you're a pretty sensible man. You've got a lot of horse sense." He says, "You'll figure out what's wrong pretty quick."

I said, "Charlie, you'll just get in trouble." I said, "Hell, here you are a Republican, just been elected, and I'm a Democrat. You're appointing a Democrat to the state's political plum?" Because wardenship has always been considered the political plum of state appointees.

"No," he said, "I don't think so."

I said, "When the Republican hierarchy finds out that you're trying to appoint a Democrat, they'll kill you."

He laughed, and he says, "No," he says, "I'm way ahead of you." I knew these Republicans, too—they controlled most of the mines. We were good friends, but I didn't think we were that good of political friends. He said, "I'm way ahead of you." He said, "Everybody that ever gave me a contribution or anybody that did anything for me or claimed they did, has got a friend they want to be warden." He says, "I know most of these people they're advocating. They should be in prison, but not as the warden. They're bigger thieves than some of the guys that are there." And he says, "But I just don't want to hurt

their feelings.” He said, “So I thought about you, and I thought about everything you just said, and I talked it over with Wingfield and Getchell,” and he says, “You’re their first choice.”

I said, “I still don’t think I could do it, but I’ll do anything. I’ll do you a favor if you want. You can appoint me, and after a month or so when things kind of cool down, I’ll submit a nice resignation, and you can make an announcement to the press the following day that Art Bernard retired, and you have appointed so-and-so, and that’s all there will be to it.”

He says, “All right.” So I went to the prison, and I found such a complicated mess and so many things that didn’t make sense to me as a layman that I decided to do something. What I ran into was so interesting that they couldn’t have got me out of there with a shotgun from then on!

Everybody that knew anything said, “You can’t do that.” For one reason or another or another, I can’t do it. Hell, I’m in charge of this place. So things just got . . . within a month, I was in my element. I did everything they told me I couldn’t do. I became a famous warden throughout the state. I could show you some of these write-ups I got.

That’s an interesting twist on your career. You probably never thought you would stop mining.

I thought I never would. I found that being in charge of the prison, in charge of the greatest con artists on earth, was one of the most interesting things. I just had so many interesting challenges, and I beat every one of them. I got famous, as I say, all throughout the United States. I got lots of commendations.

5

EXECUTIONS

S*O, TELL ME WHAT it was like when you started at the Nevada State Prison.*

Well, it was very political. There were a matter of twenty-eight or thirty personnel. All of them expected to be fired. All of them resented me, assuming that they would be fired, and none of them were very helpful. I took over the prison on a Monday, and on that following Friday, five days after I assumed the wardenship, I had an execution. Here I was, and the law plainly stipulated that the warden perform the execution. The warden, Bill Sheehy, whom I succeeded, had told me about this execution coming up, and he says, "You can't do it," he said, "I know you can't do it." He said, "It's the worst thing in the world." He said, "You just won't have time. You've got to live into these things." He says, "I'll come back and do it for you."

I says, "No, this is my baby, and I'll raise it. I'll get by with it some way." I'd heard from Bill before, during our years, and we were both members of the same clubs, and whenever there was an execution down there, he'd get on a drunk, and you wouldn't see him for a week. Just . . . it was hard on him.

So, it was nice of him to volunteer, but I figured I can do this. "If I'm going to be in the kitchen, I'll take the heat," to quote Truman.

I started questioning the help, and all I could get was, "Well, the warden did it. We don't know what he did." I had to have something to go on, because I didn't know anything about the eggs and the acid.

Finally, one guard, who later became one of my very best officers, named Blake, said, "Warden," he says, "I know that you're in a jackpot here with this execution." And he says, "I'll help you all I can." He says, "I've been in on most of them, and I can tell you what to use and how to use it and to the best of my ability, at least as good as . . . I can do everything that Sheehy did."

So, we went to visit the gas house, which was a little stone building back of the cell block, in the old building that they converted to the execution chamber. You can't believe what you . . . They had this chair in this little stone building, air tight, with a hole, something like a toilet. Underneath the seat was a receptacle, and in this receptacle, they put acid, and then there were the pills. The cyanide pills were about the size of a pigeon egg, and you put a certain amount of them in a cloth bag, tied it under the seat, and you had three strings running from this seat up to the ceiling, where there was a little pulley. The strings went out through the wall into another little area, and there was a window on this little area that you could look in through and see the patient in his seat,

strapped in. The three strings came down, and they were tied in three different places. I would go in, and I would tie the three strings from the bag to the three positions out in the other room, and only one of the strings held up the bag with the pellets in it. The other two were blank. So then, I'd have three officers, each with a pair of scissors, clip a string, and neither of them would know which one had cut the string with the eggs on, for their peace of mind. This was very crude, but it was very efficient. It worked.

Were you one of the three?

No. I had three officers. I just did the tying and gave the order to cut. So, you might say that I was just as . . . more responsible than the others, because I knew which string I'd tied the bag on, but I didn't know which one of those three strings was cut.

In this little office with the window would also be the doctor. Standing back a little ways, but who could also see into the building, were the witnesses, whoever was allowed to be there. The press, of course, would be there, and the prosecuting attorney, if he wanted to be there; the relatives of the murder victim, if they wanted to be there. There was also a fan in the building that blew out the gases in the building, and the deceased would be taken out, and the doctor would check his heart and pronounce him dead.

Were these held at midnight, like you always hear?

I held it at six o'clock in the morning. Just about daylight. And that chamber we used, I can't remember, for several times before the new one was completed, and

that was practically the same thing, but modern and electrically controlled. I tied the eggs under the chair, and there were three switches in another room, where you could look through, as in the old one. I got three guards; each of them would pull a switch, and one of those switches was connected with the string that held the eggs, and that was the only difference. I think I did my duties on that sort of not too pleasant occurrence more than any man before my time or since—more executions.

You had lots of people on the death row at that point?

Yes. Not more people on the death row at that time, but I served in more executions over the years, than any of my predecessors or anybody after me. I conducted the executions. It was over a dozen men that were executed during my term in office.

What was your reaction to that first one?

Well, it wasn't pleasant, but it's something that had to be done. After a while I began experimenting. This first man that they took out, if it was today, would have been probably found guilty of second-degree murder, no first degree, and certainly not the gas chamber. The second one, the same way. The third one, the same way. They were all . . . they had taken a life, but they weren't killers; they weren't murderers. One was a police officer in Reno and a very good man. He had a brother that was a police officer in Carson City, another good man. He and his wife were divorced, and they had the usual . . . you've all heard and read about the aftermath of divorces. Some people lose their . . . they lose it. This young man, who was a very nice young man and a good police officer,

visited a house where his wife—still wife, but under divorce proceedings—was staying, and whatever happened, he shot her.

There were others that didn't bother me at all. I performed the procedure over men who were vicious, dirty murderers, and I told them so. When I'd talk to them, I didn't mind saying, "I'm not going to feel bad putting you away. You deserve it. This should have happened long before."

I had one man, who'd been on death row for almost three years. The publicity he'd got over being in prison for this many years was phenomenal. Now, it's nothing. They're in there for fifteen, twenty years. At that time, he'd been there less than three years, and people were just getting tired of him being on death row. He'd committed a vicious murder in Clark County, and after he'd been convicted and was here, it was learned that California had been looking for him. He made a very vicious murder in California, too. What was keeping him alive, he was one of seven boys in a family—very prominent family in the Midwest—and all the other six brothers were professional men, doctors, lawyers. One, I understood, was a priest. They had plenty of money. This was the youngest and the black sheep of the family, and nobody ever came to see him, but they did pay the legal bills. But he finally lost it. And at that time, and probably yet, you have to keep twenty-four-hour guard on anybody on death row. So, I had him and another young fellow that was condemned to death for killing his girlfriend in Sparks. Twenty-four-hour guard, three men twenty-four hours a day to watch somebody to keep them from killing themselves, just seemed absolutely stupid to me, because at that time we didn't have money to throw around like they have nowadays. Three men on a

payroll, twenty-four hours a day, week after month after year, was just stupid. So, I took these two men out of death row, and I put them in the yard. I figured the guards can watch them there just as well as they can sitting outside of their cell.

And this one—I'm not going to name names, because, as I say, they come from a very prominent family—we'll just call him Red. He had nice red hair. He was a young man in his early thirties, a very handsome man, slightly over six feet, 200 pounds, a personality that you couldn't . . . he should have been a professional man like his brother, because he had everything. But I took him out in the yard, and he and I became quite friendly, and at that time we had what we called the bull pen, where our gambling tables were. Gambling was legal in Nevada, so I assumed for that reason, they considered it was legal in prison. Whether they could do it openly or not, gambling goes on in every prison, as much as was going on in the state of Nevada, only it was illegal. They bet on anything they could. They had places where they gambled—I know from experience after I started visiting the other prisons. They all had gambling, except it wasn't legalized, and they couldn't control it. I could control mine, because once I went in there, I changed the rules. Before I took over, whoever was the strongest, had the most clout or the most money, or could hire the most help, controlled the gambling. I changed all that. The prison officials took it over, and whoever had the concessions to run a table, did it just as the state does, as the gambling commission. They had to show that they had a bankroll. They had to have good conduct. They could have nothing in their background—prison violations of any kind. If they passed the muster, we allowed them to control the game, and as long as they controlled

it honestly, they could keep it. The minute they started cheating, we'd hear about it, and we took away their privilege. This Red, his conduct was good. It couldn't have been bad; he'd been on death row. He kept his nose clean, and I have letters that I want you to read from him. He kept his nose clean, and he asked me if he could run a twenty-one game. He had money. He had all the money he wanted. His brothers sent him enough money to bankroll a game in a regular gambling casino, if necessary, if he'd had the opportunity. He did a good job. He never violated his trust.

I was the sort of a warden that every morning, every day, I went through my yard, and I knew who the troublemakers were, because I kept track of what went on there. I used to walk through the yard, talk to the men. I'd go up and go through the cell blocks every once in a while. I'd go up through the mainline kitchen. I went all over that prison. At first, my guards were so shocked, they were scared to death that I was going to be attacked and held hostage. I says, "Don't worry. I'm only one man. I know what I'm doing. And I don't think these guys are going to take me."

So, I'd go through this bull pen just practically every day, unless something had happened that I couldn't go through the yard. I'd go back. I'd started a rock quarry to make rocks. Everybody that came in, had to go out on this rock quarry and make a certain number of rocks, and then they were replaced by incoming "fish," as we called the new prisoners. I'd go out and check that. And, as I say, I'd go in the bull pen to show them that I was interested, and I was going to keep track of that, too.

During my years in Pioche, I had a very good hunting partner named Bill Garvey. A very nice fellow, and a good hunting partner. In fact, he had a Labrador dog. That's

the first Labrador I've ever seen, and they became my favorite dogs. In fact, I wrote a book on, mainly, Labrador dogs. Bill and his stepdad ran the biggest casino in Pioche, called the Navajo. And when I left and moved to Ely as Deputy State Mine Inspector, he and his stepdad ceased operating the Navajo. They sold out, and they moved to Las Vegas. Las Vegas was beginning to be gambling on a big stage, and they had big casinos. One was the Pioneer Club—the biggest at the time. Bill got a job as one of the main events there. I can't remember what his position was, but he had a lot of clout and a lot of friends. He was still an avid duck hunter and actually attracted avid duck-hunting friends. Whenever they wanted to go on a duck-hunting trip—money was no object to him—he'd give me a ring and say, "I've got so many men, and this is who they are, and they're all nice fellows, and they'd like to come up and hunt duck. Can you arrange a hunt?"

"Sure." I was a member of the Canvasback Gun Club at the time. The Greenhead Club was a big club, and you didn't have to be a member there to hunt. You could go in and just pay your daily fee. So, I could just be nice and take care of any amount that wanted to come up. He called me one time and said he had three or four friends, whoever they were. Could he bring them up?

I said, "Sure. We'll take them out." I could also arrange for a guide for them, to take them out to wherever the ducks were. So, they came up and hunted a day or two, and then they all went back with Bill. And he says, "I'll stay an extra day and visit." He had a sister here. She was working in welfare. And he says, "I'll visit Hazel a day or two." He said, "I'd like to go through your prison."

I said, "Sure. Be glad to take you." So, the day he came, I took him all through the prison, and I took him into the bull pen. Now, Bill was a big wheel in the Pioneer

Club, which was *the* gambling place at the time in Las Vegas—in charge of all the games. I introduced him around. We came to the twenty-one table, and here is this Red—good, handsome man. I introduced him, and I didn't tell him what Red was in for or anything, but I said, "Red here is quite a dealer."

And he said, "How good is he?"

I says, "Well, how good are you, Red?"

He says, "Pretty damn good."

Bill says, "Deal me a blackjack."

He dealt him an ace and a king. Unbelievable! I don't know myself how he did it, how this guy did it, because he didn't have any preliminary prompting or anything. He didn't know who was coming.

Garvey says, "My God!" He says, "When does he get out?"

I said, "I don't think he's going to get out."

He says, "Why? I thought everybody got out."

I says, "Well, he's going to get out, but he isn't going to be any good." I said, "He's due to be executed."

I'd talked to Red like this before. I'd told him, "When I gas you, Red, it isn't going to bother me at all. You should have been dead long before this."

He said, "I know. I agree with you. I just can't help it."

Anyway, I told Bill that he was to be executed.

"God," he said, "you can't do that!" He said, "You got to let him out and send him to me. We need him in Las Vegas."

Everybody laughed, because they could all hear it, and they all knew that I joshed with Red every time I came in about, "Well, two more months, and I got you."

I finally did get Red, and when I put him in the chair, he said, "Warden, gee, you've been a good guy." He said,

“I like you.” He said, “I’m going to come and see you tonight at midnight.”

I said, “I’ll be waiting for you, Red.”

Well, Red never showed up.

One of the things I wanted to ask you is, to give a little perspective, what was happening with death penalty laws when you took over as warden?

Not much at the time. There was the usual hullabaloo in the press about the antis and the pros, and, in fact, I was called to a panel on the death penalty. I can’t remember the date. I was the pro capital punishment, and they had someone else as the anti. We both presented our views and why. This capital punishment was going on here and there, and so the news media instituted this panel. And those of us who were pro gave our reasons, and I had just conducted another execution in which I executed two men at the same time for a dirty, beastly murder. One of them was the instigator. The other guy paid the price, because he was with him, and he was an ex-convict, but not on a murder charge. One of them had conducted a vicious murder in some other state—I forget which one now—and had not got the death penalty, and had been paroled after the usual amount of time. At that time you could figure a first-degree murderer could do ten years, more or less. Some states were worse than others. I mean, when I say worse, they kept them longer, which may be better, instead of worse.

This one fellow had been paroled and had picked up with this other guy and stolen a car, got up here on I-80, which was Interstate 40 at the time, had some kind of trouble with the car, and they pulled off the road, and a do-good motorist stopped to give them a lift. His body

was found—I can't remember where it was found. The burned automobile was found in Texas. But they got the two. There was a good job of detective work done. I used that example when I was testifying on this panel. We were questioned. Somebody questioned me, and they said, "Why wouldn't you want to release somebody, just because they had committed a crime? They may never do it again."

I said, "I'm glad you asked that question. I just conducted an execution of a man who'd been paroled for a dirty, vicious murder and was guilty of another one shortly after he got out." And that was usually our stance from the pro side: as long as they commit a vicious murder and are executed, they'll never commit another one. Because many of them do, when they get out. You read it every day.

But during the entire time that you were a warden, the death penalty was in effect?

Yes, I think that they abolished it in the 1970s. I'm not really sure when it was. It was after my term as warden.

You said you did three executions within that first month that you were warden?

Three weeks. I had one the first Friday, one the second Friday, and one the third Friday.

Was that unusual?

Oh, I'll say it was!

That didn't happen again? It just was a coincidence?

It never happened again, no. That was my indoctrination. As I told you, the first execution I had, when they pulled the victim out, his face was very red—just not normal looking. I asked my friend, Dr. Petty, one of my very best duck-hunting partners and club members, “What caused this?”

And he said, “The acid.”

I said, “Well, what do you mean, the acid caused this?”

He said, “Well, I can't explain.” He says, “I never made a study of it myself, but I imagine that the more acid that's in there, the more it's going to affect the complexion.”

So, I talked to my friend, Sergeant Blake, who'd given me what information he could—the only one that helped me. He was the fellow that I had taking care of the eggs. I said, “The next execution, I'm going to cut down two pills.” And I did. And he wasn't nearly as burned as the other one. So, the next time I cut it down two more. I finally got it where the cadaver looked just as normal when he came out of the gas chamber as when he went in. I had decreased the number of those eggs by three fourths, and still was absolutely effective. I mean, they died just as fast as they had before with all the eggs. I found out later that my predecessor, the one that was so disturbed about these executions, that he wanted to be sure they were dead, that he was the one who'd started using all this big bag of eggs.

So, you just kind of experimented with how much you could decrease it?

I just experimented, and I was very proud of the fact, my results looked just as good after they were dead as they did before.

You made a comment that Sergeant Blake was the only one who would help you. Did you have some serious personnel problems, then?

No. No. I worked them all out. Once they determined that I wasn't going to clean house, everyone became cooperative. We got along pretty well, and, in fact, I think that all my guards were very happy with me. They were all very sad when I left, as were a lot of inmates. I have a letter I'm going to show you from one of the inmates.

Did this fellow get out and get reformed? Tell me what you remember of him.

Well, he was our student, my student.

You called them students?

I referred to them as my students, and I call myself when I write: the Superintendent of Graystone U. I refer to the inmates as my students. How good they did or how bad they did.

And what do you remember of the fellow that wrote that letter? He's working as a salesman, so he must have gotten out?

Oh, yes. He was paroled, but he was paroled after I left. I thought maybe I better tell you how I began to learn my prisonology.

Yes. Because you had no background. You came from a background of mining.

That's right. When I first went down to the prison I just didn't know anything about it, but one thing I was interested in was the finances. Where did the money come from? Where did it go? All the years that I was in politics here, as I mentioned, the prison was always running out of money, and they always had an escape or two. And they had riots. I'm very proud of my record in riots.

***L**ET'S TALK ABOUT how you learned your job.*

In the daytime, as I said, I walked through my yard. I checked everything, just to get the feel of the place. Nowadays, wardens don't live at penitentiaries anymore. They all live away from the prisons. During my day, every warden lived at the penitentiary. He was furnished a house.

With your family?

With your family. And they all got along fine. I don't know of any family that was ever bothered in history, never heard of it, if it was. If you got it in you, if you're not afraid, you can smell what's going on in that prison. You can tell by the sound whether everything is running smoothly, whether there's anything wrong, and you can almost determine how much, how bad, or how serious it

is. And you can tell—if the prison is going on as smooth as can be, you can tell it. Every warden that I talked to during the many years that I attended the conferences told me the same thing. They could smell it, and they could feel it. And I certainly could. I had the best pipeline in the prison that anybody could.

But in the daytime I went through the yard, and I smelled and listened. And at night I'd go over to my office all alone, nobody else around but the night guards, and I'd have my bookkeeper give me the statements of the bills that were paid, what was bought, how much it cost, what it was for. And God, I'd go in with sheaves every night. I'd go through this, and here was clothes, so much. Here was this, so much, and so much for this, and so much for this. And some of them were pretty hefty bills. Some of them were small. Anything that could be bought locally was bought locally. I knew every business in town. I saw one, and I read it, and then I put it off to the side, then went on and on. Pretty soon I came to this bill again.

Same bill?

By God, it's the same bill. So, I reached back, and I got it. This one was dated a week before this one, but they was damn near . . . could have been twins. And they were for around a hundred and fifty dollars each. They didn't say what the hell it was. It was all numbers—letters and numbers. It was all Greek to me. It didn't make sense. I didn't know what it was. I went through all the monthly bills. I found four of them that month, all around a hundred and fifty dollars, all of them numbers and nothing else. So, I put them off to the side. Next day, I called the fellow that knew what these things were, anyway. Bills. And I said, "What the hell is this?"

Well, he says, "You know what it is."

He was one guy that took a little bit longer to get along with than the others had. Later, he became very good. He kept me supplied in goat meat.

I said, "If I knew what the hell it was, I wouldn't ask you."

He told me what these letters were.

I said, "That don't make . . . that's all Greek to me. I don't know what they are. What the hell is it? What do you do with it? Do you eat it? Do you drink it? What the hell do you do with this?"

Well, he says, "That's narcotics."

I says, "How the hell do I know it's narcotics?" And I says, "Narcotics! What do you mean to tell me? That we're buying narcotics for these convicts?"

Well, he said, "Certainly." He said, "That's on doctor's orders." He said, "There's quite a few of them here that has to have it, or they'll *die*."

"Oh, bullshit," I said. "I got to investigate this pretty damn carefully." And I said, "This is dope."

He says, "Yes."

And it all came from the drugstore—one of my good friends in Carson City, Ike Cochran. So, the next day the doctor visited. Once a week he made his calls, or in emergencies he showed up—Richard Petty. I called him. I said, "Dick, can you come down to the prison."

"What for?"

I says, "I got a problem. And I don't want to talk to you over the phone. I want to discuss it."

Well, he says, "Can't we do it on my next call?"

I says, "No. You got to do it today."

So, he showed up, and I had these bills, and I says, "What the hell is this?"

"Oh," he says, "That's narcotics."

I says, "You mean to tell me, we're furnishing dope for these goddamned convicts?"

He says, "Oh, yes." He says, "There's some that they have to have it."

I said, "What do you mean, they have to have it?"

He said, "If they don't, they'll suffer, and they'll die."

"Oh, come on. For Christ's sake," I said. "What? You're talking to the old warden now. You're not talking to a little schoolteacher from Santa Barbara."

"No," he said, "that's right."

I says, "Well, that's going to stop right now."

He says, "It won't stop." He says, "You can't stop." He said, "There's certain men," and he named them, and he said, "They just got to have it." He says, "I've got them just as low as they can go."

Well, I says, "They're going to go lower than that. They're going to go without."

He said, "No." He said, "You can't do it." He said, "That's my department." He says, "You're running the prison, but I'm running the health." And he said, "The first thing that happens to any of those men, I'll call a news conference, and I'll tell them why it happened. I'm not going to take the heat for that."

I said, "You don't have to. This is my kitchen. I'll take the heat. *No more goddamned dope!*"

Well, he said, "You're going to be damn sorry, I'll tell you that."

Well, I said, "Maybe I will, but it don't make a damn bit of difference to me whether I . . ."

Oh, he says, "The public will crucify you. They'll get you out of here. You'll be out in a week."

I said, "If I'm out in a week, I can get a job." I says, "It doesn't happen. One thing about you doctors. You don't get any patients, you don't live, because you don't know

how to go to work. I can do anything, and I've done it. So, this doesn't bother me a damn bit."

So, I put out the word to the captain. The captain was named Fletcher, Harry Fletcher. Very experienced lawman. When I told him what I was going to do, he told me what the doctor said. He said, "You can't do it, Warden." He says, "I've had a lot of experience with it." He says, "They've got to have it, or they'll go crazy. They'll riot, and they'll die." And he says, "Jesus Christ, the countryside will crucify you."

I said, "They're going to crucify me, because, by God, this stops. There'll be no more of it." And I told the purchasing agent, "Let me not see one more goddamned dime about dope!"

The captain again told me, he says, "Warden, I know you mean well, but you just don't have the experience. I have."

I says, "By God, Fletcher, I'll get the experience, but there's going to be no more dope."

He says, "They're going to die."

I says, "Tell me who's going to die first." So, I got out my pen.

So, he told me. He says, "Barry Finch is the first one to go."

Well, I knew who Barry Finch was, because he'd come in from Lincoln County, my old stomping ground, on a murder charge, and he was a real con artist. The first trip I made through that yard, he corralled me, and he told me he was glad to see that I'd been appointed warden. He knew I was going to be the best. He'd heard all about me. It just took me by surprise, you know. He was a little, scrawny-looking guy with a thin face. He was in his fifties. He looked 110. Weighed 115 pounds. And he was the first one who was going to die. He told me on two

or three occasions, when he'd talk to me about his medicine, he said, "I need more medicine. They're not giving me enough medicine." I didn't know what the hell he was talking about, and I paid no attention to it, except when the doctor told me he was going to die. I remembered Pappy Finch talking to me about his medicine. Now he tells me he's the first one that's going to die.

So, a couple of days before that we had a prison shakedown. A shakedown is when the guards go through the cells and everywhere, and they find all the contraband—knives, anything that can be used as a weapon. You get guns; you get knives. Those guys in there are craftsmen. They can make things out of nothing that they can kill you with. And amongst this stuff—and God knows I've lost it over the years; I should have kept it all—was two razors where the blade was made out of a file. And if you've seen a file—a big, heavy file that you sharpen axes and various things with—it's a hell of a weapon. The blade was made out of a file, and the handle of this razor was made out of a rib bone out of a steer. By God, they were works of art! They were that long and heavy, because the file is thick and heavy, and they were ground down, and you could shave with them—they were actually that good—or you could cut down a tree. There was two of them, along with everything else that they had—little knives made out of wire and all the things.

So, Barry Finch is the first one that's going to die. He was known as "Pappy" Finch. So I told the captain, "Get Pappy and bring him in my office, and you come in with him." I had a desk there with three drawers on each side and one in the center. In one of these on the side I had everything that was taken in that shakedown, along with all the stuff I'd inherited from shakedowns before I came, which included two or three guns and various stuff that I

can't really begin to describe. I had these two razors in here, and I took them with me when I moved out in the valley, and they gradually disappeared. Anyhow, captain came in with Pappy Finch. Captain sat in the chair there, and Pappy sat in the chair there. I had another desk over there, and then there was this big blue . . . all the pictures of everybody's been executed. I said, "Pappy, I got good news for you."

"What's it about?"

I says, "About your medicine."

"Oh, thanks. Thanks," he said.

I says, "I don't think you're going to need any more. You're cured."

He says, "Well, what do you mean?"

I says, "I mean, you're cured. There's going to be no more dope. You've had it."

And his face started to change. He said, "What do you mean?"

I says, "I mean, there's no more dope. It stops. You get no more."

He says, "You can't do that!"

I says, "You want to bet?"

He said, "The doctor prescribes that for me. I got to have it."

I said, "That's what the doctor told me. I think he's a goddamned liar, and you're not going to get it."

He said, "You're crazy!" And he added a few more words that I won't repeat. He said, "You can't do that."

I says, "I've done it."

He says, "I'll kill myself!" And he grabbed his shirt like this, and he pulled it out, and the buttons flopped off—pretty near hit me in the face. He says, "I'll kill myself! I'll kill myself!"

I let him get all worked up. I said, "Sit down."

He sat down, and I opened the drawer, and I took out one of those razors. I says, "I'd hate to see you kill yourself, Pappy, but if you do, I want you to do a good job. I don't want to go clean up any mess *anywhere*. By God, you take this razor, and when you start slashing, you do a good job. Do it up here. Don't do it here."

And you're motioning to your neck, not your wrists.

"Why you dirty so-and-so-and-so," he says. "I think you mean it."

I says, "I am serious as hell." I said, "Captain," and I told him which cell to put him in. It was way up on the fourth floor and out in the corner. I says, "Nobody will hear you, and nobody will bother you. And try and stay in one place when you bleed, just as a favor to me, because I don't want to clean up any more than I have to. And take this razor. Now, the captain will give you this razor when he puts you in the cell."

He says, "I'll kill myself!"

I says, "That's what you've been telling me, and I'm trying to help you." I gave the captain the razor and briefed the captain, "No matter what I said, you either agree with me or shut up." I gave him the razor.

He says, "Warden, I'll see that he's put away, and that nobody's going to hear him. When it's all through," he says, "I'll tell you."

Now, Pappy screamed and moaned and groaned, and finally he said, "I can't stand it. Put me in the hole."

I had two dungeons. One was under my office, and it was kind of damp down there, and I had one out in the yard, and it was dry—in a cave. "All right," I said.

He said, "That's the only way I . . . other wise, I'll kill myself!"

“Now,” I said, “you’re not going to kill yourself, and you’re not going to die, either.”

He says, “I think I will. I think I will.”

I says, “Well, can’t put him down in the one under the office.” We put him down there in the cave. I says, “Pappy, when you get ready, send me word, and I’ll let you out.”

The next day, nothing. I asked the captain, “How’re we doing with Pappy down there?”

And he says, “He’s quiet.”

“Is he screaming, doing anything?”

“No. No. He’s just quiet as can be.”

I says, “That must not be bothering him too much, not to get that dope.”

“Well,” he said, “he hasn’t said anything.”

Because he should have been going through withdrawal by now, right?

Yes, he should, and you’ve heard all about this withdrawal, and so have I.

How horrible it is.

Now, this is Pappy, who was the first one that was going to die, according to the doctor himself, who knows all about these things. The second day, nothing. The third day, I got a message from Pappy, “I’ll come out.”

So, I had him brought in, and I said, “You didn’t die.”

He says, “You don’t know what I’m going through, Warden.”

I said, “No, I don’t, because I’ve never gone through it, but you’re going to go through it, and you’re not going to get any more narcotics. By God, as long as I’m here, if

I can stop it, and I think I can stop it, neither you nor anybody's going to get any narcotics. By God, the taxpayers of this state are not going to furnish dope fiends with dope!"

So, I kept track of Pappy, and he got over it, and I kept track of the others, and it was quite a chore with these. I'm not going to go into the effect of what some of the others did, and one guy had a seizure in his cell one night. He got the whole mess out there, and they had to call the doctor. And he was one that was going to die. The doctor told me, he says, "He's not going to make it."

I says, "Doc, the quicker the son-of-a-bitch dies, the better off the taxpayers are going to be, and the better off he's going to be."

And, you know, he didn't die. In fact, when he found out he wasn't going to get it, he got up and went to his cell. But anyway, Pappy's the bad one. About a month, and Pappy is the happiest guy I've ever seen. He started to call me "Dad." Dad! Christ, he could be my father. And my wife, he called "Mother." I've got letters in here. He never forgot her birthday. He never forgot our anniversary. He never forgot Christmas. We got a card from him, a loving card, on every occasion. He just kept getting better and better and better. And a year later, he said, "Will you get me mugged again, re-mugged?"

I said, "Yes, I will. It's about time."

I had his old mug in my drawer, and while he was in there, I took it out, and he says, "You know, I look like a hound dog barking at the moon."

I says, "You sure do." He looked awful. He weighed 115 pounds. That was his height, weight, and everything. I said, "I'll send you out and get you re-mugged."

And that means a new picture, right?

New picture, new weight, and everything. They brought in this picture of this kindly-looking, old, grandfather type. He was then . . . I don't know whether he was sixty yet or not, but he looked about his age then, and he weighed 165 pounds, from 115. He'd gained fifty pounds in a year! And he was just as healthy as he could be. He was the greatest advocate I had. No matter who came in there and wanted dope . . . and they just came one after another and after another on dope. And I had experiences with all of them. I'm not going to go into them, because we just don't have the time.

But Pappy said, "Can I have one of those pictures?"

I says, "You sure can." I gave it to him.

He says, "This . . . I cherish this." And he says, "Do you think I'll ever get out of here, Warden?"

I says, "If I last long enough, you will." And I did. I got him paroled to somebody in Chicago that needed gardeners and all that sort of stuff, and they took him, placed him there as a gardener. I never heard from him after that. I hope he made it, but I'm sure he didn't, because once he could get it, he . . . Before he left, I says, "Promise me that you won't go back on that medicine."

He says, "I give you my word."

But I didn't believe him.

Did your tactics in dealing with the narcotics get out into the public?

Oh, God, yes.

And what was the response?

The response was—you can't believe it. You ought to talk to Dr. Petty. If you get a chance, call him and ask

him, just for the hell of it: What about the narcotics, when he told the warden that if they don't have it, they're going to die? He said, "The first one that dies, I'm going to call a press conference." Yes. I brought that up to him, and he enjoys telling about it more than I do. "By God, he was right!" he says.

So, it did get out in the press?

Oh, yes.

And what was the public response?

Well, nobody paid a hell of a lot of attention to it. But when I read about these dopes, I know better. I know better than *anybody* that they just don't die. And they just get better. They may have withdrawal symptoms, I don't know. Pappy said he did, but he didn't act like it. He didn't go into throws or everything like this one guy did in the cell block—faking death. I know damn well that every one of them can stop it, and they can stop it cold. I did it. I got the proof.

Let's talk about a couple of the other things that you mentioned: escapes and riots. The prison had a history of escapes, did it?

Oh, yes. And I had some while I was there, too, but a fewer percentage than any before and any after, and I'll give you reasons for that, I think.

Let's talk about the escapes, first. What is the reason that that was a lower percentage?

Well, probably because I was more careful in putting them out, and I had lots of trustees out. I had more trustees working. They built the bull pen. We completely rebuilt that.

Talk to me about the trustees. What was your philosophy on the men in prison? Did you set up some system there, for working with them?

I looked at the conduct. I talked to them. And I made damn few mistakes. They say that when you escape, you're going rabbit. And I just was lucky, I guess, but I had very few escapes.

Now, tell me about the trustees. Was that a system that was already in place?

Oh, yes. This trustee system was in place, but not like I had it.

CONFLICT WITH LABOR UNIONS

W*HAT CHANGES did you make at the Nevada State Prison?*

The changes I made is when I went down there, I knew all the work that had to be done. And there was no . . . the whole institution needed to be rewired. Everything was falling apart, and there was no money to do anything, and nobody could If they had had the willpower to fight the public to use prison labor, they didn't have the ability, or the guts, I don't know what. But I decided to do all that work, and I found out that I couldn't, because organized labor wouldn't allow it. And I says, "Well, to hell with organized labor. They beat me as mine inspector. They're not going to beat me as warden." And some interesting things would arise out of that. What brought all this about is, one of the first men I found, an inmate—a student in my college—was a man that I had met many times inspecting mines. He was the chief

electrician at the tungsten mine up in Winnemucca, Nevada Tungsten. He was a good one. My God, I run into him face to face. "What are you doing here?"

And he told me. The mine had shut down or something. He'd been out of work, so he went to work in Lovelock. One of the great politicians in Reno, Norman Biltz, a very good friend of mine, had bought a big ranching interest in Lovelock—I mean, thousands of acres. He was rewiring everything he had. And he was doing it. He got to gambling and drinking, and he forged a check on his employer, and he came to prison. "My God," I said, "that's awful! My God, your talent wasted." I said, "How long have you been here?"

He told me, "Several months."

I says, "As an electrician, you naturally have seen all the problems at the prison."

"Oh, God, yes," he said. "I'd just love to tear into them."

I says, "You're going to." I had carpenters of equal ability. I had plumbers. The best brains in labor, I had at the prison, doing time for nothing, and anxious to work, anything to do to pass the time away. So I told the captain, "We're going to rewire this whole place. We're going to rebuild everything." And we started, and sure enough, labor sent word to me to stop it. I didn't pay any attention to them, so one day the captain came in and he . . . the captain had kind of got used to me, and he was enjoying me, because anything that he'd like to do, or would have liked to do, and he knew he couldn't get away with it, I was getting away with it, and I was doing it.

He said, "There's a group of gentlemen out here would like to talk to you."

I said, "Who and what?"

He says, "A bunch of labor leaders. And what, I don't know."

But he knew, and so he sent them in, and there were twelve of them. They represented every trade, and they sat down, and they told me how the cow ate the cabbage. I was not going to use any prison labor. Anybody that came down there to work would be a union man, and that was it.

I'd asked them to sit, and I said, "I don't have enough seats for all of you, but I'll get some."

"No," he said. "No, this won't take long. This won't take long. We'll stand."

When they got through I said, "Well, I'll tell you, no S.O.B. is going to come down here and work and pass a file into my place, as a plumber would do. No S.O.B. is going to come in here and pass hacksaw blades, like an electrician would do. No S.O.B. is going to come in here and leave a hatchet. Nobody is going to bring anything in here, and nobody's going to bring in any dope or any liquor or anything. And I'll tell you, that's it. You can either like it, or you don't like it. And since you said you didn't want to sit down, because it wouldn't take long, it's finished." I said, "You can leave, and if you need any help, I'll try and do it. And you may get dinner, but I'll get a lunch while we're at it." They filed out.

That night the governor called me and said, "Can you come up in the morning, about nine o'clock."

I says, "Yes, I can. What's the scoop?" I knew what the scoop was.

"Well," he said, "your friends, the labor leaders, came in today, and they want a meeting with me tomorrow at ten o'clock."

I started telling him what went on.

He said, "Don't tell me. Just come up here at nine o'clock, and we'll talk it over before they come in."

So, I went up at nine o'clock, and I told him, and he grinned all the time. I told him that I had said, "The meeting is over. Please leave, and if you don't want to leave, I'll try and help you. You wanted to help me. I'll help you. You might get dinner, but I'll get a lunch."

And he was tickled to death. I didn't know what he was going to do, but he was tickled to death. Nine o'clock, we talked, shot the bull there for a while. We went in at ten o'clock and sat down, and he told the clerk, he said, "When they show up, just bring them in." In the meantime, he and I went in. He had a big, long conference table in his office. He said, "You sit up at that end, and I'll sit down at this end." He told the girl, "When they come, just send them in."

So, here they came marching, the whole bunch of them. When they saw me, it was like somebody had thrown a tub full of water in their face. They didn't expect me. They expected to come in and tell him what the score was, and that they wanted Bernard fired, and that was it. And here I am.

"Come in, gentlemen," he said. "Sit down." He told them that he had enough seats for everybody. He says, "You were complaining about Art and his conduct. I thought it no more than fair that he be here to defend himself."

They sat down. Not a word was spoken. Not a word. "Art," he said, "tell me what went on."

I told him just exactly what went on. He'd nod, nod. He said to them, he said, "Was this truthful or not? What's your version?"

Well, they went on, and they told him they . . . He just took the sails right out of them. They said, "Well, we

feel that as taxpayers, the union members should have a chance to go to work, and it's not fair for a convict to take the bread out of the mouths of honest working people and their families." And they gave him a good story—song and dance.

He said, "Art, what's your answer to that?"

I says, "Well, I don't want to take the bread out of anybody's mouth. Don't intend to. But we don't have money to do that. You know that, and they know it. It's thousands and thousands of dollars, and we just don't have appropriation." I said, "God, we're living from hand to mouth. I'm running that prison cheaper than it's ever been run before, and it's costing ninety cents a day a man to keep that." Keep that in mind, ninety cents a day, then. That's costing thousands of dollars a year nowadays to keep a man in prison. In my time it was five hundred dollars a year, more or less. I said, "All that work has to be done for the best interest of the taxpayers, and I've got labor down there that these guys don't have. They haven't got an electrician like I have, that's rewiring that whole penitentiary. I've got craftsmen down there in every . . . any way you want, anything there is to be done: carpenters, plumbers, anything. And they're in, at the taxpayers expense. We're supporting them. Why, the hell shouldn't they do something?" And left it. "And another thing. As long as they're busy, their minds are . . . they're not scheming to escape or to hurt anybody." I said, "I think that's the best way to run it." I said, "If that isn't satisfactory with labor and with the governor, you can have my resignation right now."

The governor says, "I really don't think so." He said, "What do you guys think?"

Well, they said, "We can see where the wind is blowing." And they got up and left. I never heard another thing from labor. *Never.*

W*E WANTED TO TALK a little bit about riots. How did you prevent riots?*

Well, when I took over I was told by the personnel that soon we were going to have the annual spring riot.

It happened every year?

It happened every year. They said, "And don't worry about it. It'll blow over. It'll just blow over, and then everything goes back."

I said, "You mean to tell me, they break up all the furniture in the kitchen and dishes and everything, and it just blows over?"

He says, "What else you going to do? They're going to do it, anyway. You just as well let them do it."

I says, "When is this going to happen?"

"Well, it usually is right around May or June."

I said, "Is there any way I can tell when it's going to happen?"

"Well," he says, "we can kind of tell."

I says, "Just before it happens, I want to know." I'd found several people that I knew in there, boxers that I'd been well acquainted with. I'd go in there, and I'd find some of my old ring friends in there, and they're just as friendly as they can be. And they weren't criminals. They were in there for bad checks or something. But they were the best stool pigeons in the world. They'd tell me anything I wanted to know. Through them I had the best pipeline into a prison that anybody could have. I knew damn-near everything that was going to go on. So, I put out the word with one of my friends, a stoolie. One of them had been there during one of the riots. The others hadn't, but they all know what's going to happen. So, I said, "Give me a week's notice, if you can, or a day or two, or whatever you can."

He says, "All right."

I'd gone through this Pappy Finch deal already by then. And one day one of my officers came in, and he said, "That riot is getting close. We will try and give you the date." They did.

I said, "And I want to know." I says, "I don't know what I want to do, but I want to know."

In the meantime, the next day, one of my pigeons came in, and he told me when it was going to happen. So, on that day it was going to happen at four o'clock, when they served dinner. They go in at four o'clock. There's a guard station there, guards in there. There's a gate here that you go in and out of, and this guard is armed. You'd think he could stop a riot. He's got guns and everything. But he never had. Anyway, when my stool

told me it was going to happen, I went up, I come to the gate, and I says, "Open it. I want to go in the mess hall."

"You can't go in there, Warden."

I says, "Why can't I?"

"Because you can't go in there."

I said, "Jesus Christ, I'm the warden! I want to go in there! Open the gate!"

This guard is scared to death. He just don't know what the hell to do.

I says, "Open the gate. And when I'm in there, you close it."

So, everybody's seated at tables by then. And Pappy Finch is there. He's one of the inmates, and he'd been cured by now. So, there's quite a bit of silence, but still some mumbling here and there. They didn't know what the hell was going on. So, I walked over by one of the seats. And they didn't have too many tools. We didn't allow knives or forks. They had to eat with spoons most of the time. I picked up a spoon, and I rattled for . . . and I got the attention, and they are as quiet as they can be. I told them, I says, "I understand that you're going to riot. You do it every year. You break up the dishes. You break up the pans. You throw them out through the bars into the warden's yard," because my house was right over there. I said, "I understand that that's sort of an accepted prison practice, at least around here. But," I says, "it's going to stop, because I'm not going to have the taxpayers of this state buy any more forks, knives, spoons, or plates, because you destroy them and throw them out. Or stoves or parts of the stove." And I said, "You've got to eat. And when you've torn up the tables, I'm going to have the floor. And that's a pretty good-looking concrete floor." And it was smooth. I said, "We'll just have to wash that floor up slick and clean, and you can eat it down

there, because that's where it's going to be. I am *not* going to buy any more tools." I said, "Some of you may not believe it, but that's the way it's going to be. Now, you can either eat it off the floor, or you can eat it off the dishes that you got. It's your choice. Be good." And I started walking out. Not a . . . you could hear a pin drop. Pappy Finch got up, and he started to clap for me, and before I got to the gate, there wasn't a soul that wasn't standing up and clapping. And we never had a riot.

The whole time you were there?

Well, we did have another one, but it was a real . . . in the middle 1950s, we started getting prison riots. If you remember—if you're old enough to remember—all over the country prisons were rioting. They had lists of grievances that they wanted taken care of, and they wanted a conference with the governor. They had to see the governor, and the governor caved in. They'd give him a list of all their grievances with this bad, bad prison and the terrible warden and the horrible guards. And the governor, to stop the riot, would concede to all they want. It was going on all over. Every governor was meeting and conceding. I told my crew, I says, "We're going to get it. It's going to come here. I don't know when, but it's coming." I said, "And by God, I'm going to take care of it."

So, it went on and on. They didn't use good judgment. They tried to pull it in late fall. It was getting colder than hell at night. Oh, before this, when I took over the prison, my stoolies were telling me things that my guards weren't, so I realized that they weren't feeding me the good information of what was going on and what was wanted and what should be done, that really would have been beneficial to the institution, as well as the convicts.

Your guards weren't telling you?

They just didn't think that I needed to know. They were protecting me. And so, at this particular point, they came in, and they said, "Warden, we got a problem."

I said, "What's the problem?"

He said, "The cons won't go in. Chow time, the whistle has blown, and they said they're not going in."

I said, "What do they want?"

"They've got a list they want."

And on account of these guards not telling me everything, I had them. I said, "I want to appoint three men to represent those convicts, and they're going to elect them, and I'm going to meet with them. If they've got anything they want to bring up with me, I want to see them." And I said, "You send them in. I don't mean that I'm going to concede to their demands or anything, but I want to know what the hell they want, because it might be all right. It might be beneficial to all of us." That didn't go good with the guards, but they're not going to argue with the warden. And so, we got a three-man commission, and one of them you'll hear about later. So, whenever they had anything that they wanted, they asked to see me, and I saw them. And if I wanted to know anything, I sent for them. We got along fine, very agreeable. There are a lot of things they wanted that made sense, and I agreed to them. Lot of things didn't. Lot of things they told me was beneficial to me. They thought that it would be good if I knew it, and I wasn't getting this information. They saw I should get it.

Was that representative of some problems between the guards and the inmates?

It did, but I took care of that. I says, "This is between me and them. It's between me and the inmates. It's got nothing to do with you. They want to see me. I am running it. I want to talk to them.

But anyway, I said, "Bring my three wise men in." I used to refer to them that way. When I wanted the committee, I'd say, "Bring my three wise men in." So, they brought in my three wise men. I said, "What the hell's going on?"

Well, they told me. They said, "The men have a list that they want."

I said, "Is it in writing?"

"Oh, yes, but . . ."

I said, "Go out and get it for me. And hurry!"

So, they went out, and they came back in with a list. They wanted to get rid of the doctor. They didn't want the doctor. They didn't want two or three of the guards—they named them. They wanted better food. They wanted this. They wanted that. Oh God, they had more things than you could imagine. And they wanted to see the governor. They had to see the governor. So, I read them, and I said, "Well, you go out and tell them that they've got five minutes to get in line and go in. *None* of these are going to be considered, not a damn one of them. And when this is over, I'm taking away a lot of the privileges that I've given them. You can tell them . . . be . . . frankly, but one thing I want you to tell them. If they're not in when they're called, they're not going in."

They said, "What do you mean?"

I said, "Just that. If they don't go in, they're not going in. If they don't want to go in, I agree with them. I'm going to let them stay out."

So, they went in, and they told them. And the time came and I had the doors locked. Now, they thought

they'd figured this all out. They'd cleaned the prison store, where they buy candy and everything else—peanuts and everything. They'd cleaned that out. I'd got a little suspicious, and so had the guards. "What the hell are they doing?" Bought all the crackers, all the candy bars, everything, you know. They figured they were going to go out in the bull pen. They had plenty to eat and plenty to drink, and they were going to beat me. So, when they didn't go in, I locked the doors, and they're out. They went to the bull pen, where it was going to be nice and warm, and the heat was turned off. It was late in the fall—no heat. I didn't turn the water off, because I didn't want a mess in the bathrooms, but there's no heat.

Of course, the press had already been . . . I mean, they knew it within five minutes, and they were there, "What are you going to do?"

Well, I said, "They didn't want to go in, so they're not going in."

"What do you mean?"

I said, "That's just what I mean. They're going to stay out and cool their heels, until they decide to go in, and it's going to get pretty goddamned cold pretty quick. And they don't have any heat. They got water. If I could turn off the drinking water, I'd turn that off, but I can't turn just the drinking water off."

"What about the governor? What does he say?"

I says, "Hell, I don't know what the governor says. I don't know where the governor is. He ain't here."

"Aren't you going to call him?"

"Hell, no! I'm not going to call him. I'm running this prison. The governor isn't running the prison. He sent *me* down here to do it."

So, pretty soon I get word from the news media, "The governor is in Las Vegas."

I said, "So, he's in Las Vegas."

"Well, what are you going to do?"

I says, "I'm not going to do anything. I'm running this prison, and I'm keeping those convicts out. They're not going in."

So, the press was telling you where the governor was.

They said, "He's in Las Vegas. What are you going to do?"

"I'm not going to do anything."

"Well, we'll get in touch with him."

I said, "Be my guest."

The first thing I did, when I told the guards to lock up the doors and keep the prisoners out, I called my friend Bob Clark, chief of the highway patrol. Bob was a good man. We were very close, and very good friends. I explained what had happened. "Bob," I said, "I've got a riot started down here. My students don't want to go in to their rooms. I don't know what's going to happen, but I'd like you to send several men down here, if you can spare them, and put them up on top of the cell block, looking down into the yard, because that's where they're going to be."

He said, "How many do you want?"

I said, "Oh, four or five is enough, one on each corner."

And they came down, all armed with their rifles and everything, and I had the guards take four or five or six mattresses up on top of the roof, and blankets, because it was going to get chilly that night, and I wanted them to be comfortable. My instructions were, "Just pay no attention to them. Let them do anything they want, unless they try to go over the wall," which I knew they weren't

going to try to do. They couldn't. It was too high. We'd gone through that before.

How high was it?

About twelve feet and wire on top. I'd gone through that with the doctor with the dope. He said, "They'll go over the walls!"

I said, "By God, if they do, I'm going to get some new marksmen around here."

But I said, "The sight of those patrolmen up there are going to keep those guys pretty well controlled."

Bob changed the men every once in awhile. And the second day came. By then, my three wise men are coming in pretty often. "Warden, a lot of the guys want to go in."

I said, "They can't go in. They either all go in or none. I told you that before." Because I'd told them, I says, "Anybody that wants to go in, can go in. If they don't go in, they're not going in. And tell them that."

So, they said, "What are we going to do?" They're telling me about the older men that this was beginning to get to them. They was cold and miserable, and they really didn't want to riot. They were happy. They always had been happy.

I said, "They had a chance to go in. They didn't. You're all going in, or nobody's going in. Take a vote out there. When they all want to go, they go. And until they all want to go, don't bother me. They're staying out."

I knew, as the other guards knew, that there was a core in there of troublemakers, and we knew who the main was one—young man about in his late twenties or early thirties, handsome, good-looking, big, strong man, six feet, 190 pounds, and a typical bully. He bullied every-

body. As long as he didn't hurt them, we didn't bother him too much, although he had been in cell detention two or three times. But we knew he was, if not the main instigator, one of them. Let's say this is our prison yard, and here's where they went in the cell block. Over here was the bull pen. And over here was a graveled walkway there and there. In the center, with the crosswalk in here, was all lawn. We didn't want anybody to go on the lawn. That was part of our beautification of the yard. On each corner of the lawn I had a piece of a half-inch pipe about that long with a point and a sign welded on, "Do not trespass on grass," and they were stuck down one in each of the four corners. Along with this typical bully that everybody has, we had the typical mouse that's always picked on, and this guy was about five foot five, a hundred and twenty, thirty pounds, kind of young, nineteen or twenty, and he could be pushed around. And by God, this big bully was pushing him.

About the third day, there was an incident in the yard. From what I gather, the little guy just couldn't contain himself, and he went up and he told this big bully type, who was the instigator, "God damn you! On account of you, we're out here freezing to death!"

So, he took after him. He says, "I'll wring your neck!" or words to that effect. What he said, I don't know, but the little guy started running, and the bully started chasing him. The little guy came around, cut off a corner of the lawn, and slipped, and grabbed one of these pieces of iron with the "Keep off the grass" metal sign to hold himself, and it came out of the ground, and here he is with this thing in his hand, that's a lethal weapon. He got up, and here's the guy right on him, and I guess he felt like I did when I was pushed into the ring with Iron Jaw Slade. He went crazy, and he just started beating, just started

whipping, and he was hitting the guy every time. Pretty soon, he's chasing the big guy. And he never quit. I guess, from what the guards told me later, he was screaming every foot of the way after him and beating him. And the big bully just took it. He just ran. Finally, one of the guards called down—they all had foghorns—and told them to stop. So, they stopped, and they went in, and they picked up this big guy and took him to the hospital. He was beat up. And the next day, the riot was all over. The three wise men came in and said, "Everybody will go in. They want to know what the repercussions are."

I says, "I don't know yet. They're going to lose a lot of privileges. How many, I don't know till I see how they react, because this isn't over yet, until everything smooths out."

By God, we never had another . . . we never had a blurb. They went in. And this made national news—all over.

Because they didn't get to see the governor?

Oh, I forgot to tell you. The press went to the governor, and they caught him in Las Vegas. They said, "There's a prison riot! What are you going to do?"

He said, "Prisoners are rioting? What am I going to do? Hell," he says, "I don't know whether I'm going to do anything. I got a warden up there is taking care of that."

"Well, aren't you going to tell the warden . . . ? Aren't you going to meet with them?"

"Hell, no! I'm not going to meet with them. I'm not running the prison. The warden is running the prison."

"Aren't you going to tell him what to do?"

He says, "Nobody tells Art what to do. He's running that prison." This came out in the Nevada paper and papers all over.

What you're showing me here is a big blown-up picture of a cartoon, an editorial cartoon, is that right?

This was in the *Omaha World Herald*. And it was titled, "A Setback to the Cause."

It says, "Carson City, Nevada, prisoners give up, returning to their cells."

And the prisoner is sitting there saying, "This is an outrage. They just undone months of painstaking campaignin'."

And then, I guess, down here, underneath that prisoner, it says, "Society for the Advancement of Comfort for Jailbirds." And they wrote an article to go with this?

Oh, a big, long article. And it went on to tell about how it took a little state like Nevada to show the prisons around the country how to conduct themselves. H.C. Barrow was the cartoonist that made this, and he sent me the original that he gave to the paper.

And he signed it, "Congratulations to Warden Bernard, by H.C. Barrow."

So, that was the two riots that I almost had.

INMATE WORK PROGRAM

I *WANTED TO TALK to you a little bit about the work program that you started at the prison. Would you describe how that came to be?*

With all the skilled labor that we had at the institution and all the work that needed to be done—I noted that one of our main problems was lack of anything for the inmates to do. With time on their hands, they had nothing to do but plan and scheme how to thwart the guards, escape, and whatever you can think of. I decided that one of the best things I could do was get as many as possible to work, so I started the rock program in the quarry. The prison is in a natural rock mountain, and getting stone is no problem at all. In fact, years back they quarried stone there for, I believe, the State Capitol, as well as many other buildings in Carson City. So, I started what we called “the rock gang.”

Every incoming inmate was held for a week or ten days in what we called the “fish tank” till we got a result of their health problems, whether they had this disease or that, or so we could train them. When they were clean and well fed, they came out, and their second day out, they had to go to their work on the quarry gang. It could only take so many men, so they had to take their turn. I kept them there until they completed an x amount of rocks—finished building stone. I can’t remember now how many it was. But it was not much problem. It would take them probably two weeks to make this amount of stone. Then they would come back into the yard. In the meantime, we had an idea what kind of temperament the particular inmate had—whether he was trustworthy, whether he was a problem, a troublemaker or whatnot—and he was replaced with a new fish. That’s the incoming inmate. All of them were actually, I think, anxious to get to work, to get out of the yard, but some of them just refused to work. They said, “I wasn’t sent here to work. I was sent here to do time.”

I said, “Well, that’s fine. You can do your time. If you don’t want to work, I’ll see that you rest,” and I put them in cell detention. They were there all alone, and all they had to do was rest. Some of them never got tired of resting, but most of them did. And so, there they are back in the rock quarry making stone after stone after stone, and the stones are building up, and I wondered what I was going to do with them, eventually. We had so many things to build, and I wracked my brain what to build and how to build, because we had no money for material. So, as the stones were stacking up, and as we were making these finished stones, we naturally got a lot of excess rock and material. I talked it over with some of my inmates who had experience in stonework, and who were anxious to

work, and who knew how to make stone walls. Before we started a building program, we used this crud stuff to make dry walls. Eventually, we had that prison property surrounded with dry wall, and they were nice. We capped them off with pieces of concrete that I gathered up wherever they were tearing up a concrete highway or building or floor or anything. We squared off these blocks of concrete, and that topped off our wall, and that wall would be standing today in perfect condition, if they had maintained it, but they didn't. So in many places it's just crumbled and disappeared, and some places it's still the way it was constructed.

We needed a lot of buildings built out at the ranch, like machine sheds, pig pens. Anything that could be built with wood, we could build with stone a lot cheaper and a lot better. A stone corral is something that no animal could go through, so I can't begin to tell you how much building we did. I went through my crew, and through their records, and found out who was a good stonemason, who was a good carpenter, who was a plumber; and I got started. I decided to build nice, modern cottages for the guards. I thought that would be a better way to keep a good person on the payroll, and I started building them on the west end of the prison. We had a two or three-acre space there. I happened to have a black inmate who was one of the best bricklayers I've ever seen and a very good stonemason. He had a record of getting out of one prison and into another. His record didn't show any problems or anything. He was just habitual inmate, nothing serious in any of his crimes—oh, bum checks, small burglary, anything—usually to get money for whiskey. His name was Bell. After he did a little work, I realized how good he was. I asked him where he learned his trade. He spent most of his life in prison. He was then about forty,

in his early forties. He says, "I learned it from my uncle. I worked for him when I was a kid."

Well, I said, "You couldn't have learned everything you know when you were a kid with your uncle." I said, "You're good. You could go out and make top wages *anywhere*."

"Yes," he says, "and usually when I get out, I do that for a week or two, and then something happens."

Anyway, he was really a good stonemason, a good bricklayer, a good concrete man. So I had him in charge of the building crew. I learned early that if I sent trustees out with guards, they did everything they could to figure out how to get away from that bunch and escape. If they were out with an inmate watching them, they didn't go. They were more afraid of being brought back to face the inmates than they were of being brought back to face the guards that they'd escaped from. So, I had him in charge of a crew. We started building, and things were going along fine. We had to have materials, so I put out the word throughout the territory, you might say, that anybody that had a building that they wanted destroyed or a barn or whatever, get in touch with me, and I'd do the work for the material. I couldn't imagine how many buildings there were that people were glad to get rid of. At the Stewart Agency [Stewart Indian School] they had entire buildings. One was a hospital. They were glad to get rid of them. They just didn't have the money to destroy them. They weren't interested in the material. And there I had everything. I had plumbing, kitchen stoves—everything that you needed for my project. The manager and I were very good friends, and he was more than cooperative. So, in a small way with a small crew I started salvaging material from here and there. Tore down big barns. I got

all kinds of big timber material, any kind of planks I wanted, as well as finishing lumber.

And to think, while I was campaigning for mine inspector I was defeated by organized labor! They worked real, real hard. In fact, a group of these ladies visited my mother-in-law. They didn't know, of course. They just were going house to house. And they told her why they were there and what a good man my opponent was and how much better he was than the incumbent. She listened to them and said, "Well, you know, I'm sorry. I'm not going to vote for that good man of yours, because the incumbent mine inspector is my son-in-law." She says, "I never saw anybody move so fast to get out of that house." [laughter]

One of the unions was holding their annual meeting in Ely, and one of the members of the commission, the labor representative of the commission, wanted me to speak at this meeting. I said, "Oh, hell. What's the use? They're supporting my opponent, and I don't want to embarrass anybody, and I don't want to be embarrassed myself."

"No," he said, "I think you should." And he said, "It might surprise you. There's just a lot of these labor men, union members, that are not going to vote the way they're told." And that was true as far as the mining unions were concerned. I carried all those myself, all alone.

But anyway, I agreed to meet at this union meeting and give my little spiel. And after the dinner meeting, my friend, Baciagalupi from Reno, the commission labor member, said, "Well, there's a fellow I want you to meet." He took me over to a man about medium sized, but very husky, and he said, "Art, I want you to meet Ralph Alsup. Ralph, this is Art Bernard, the mine inspector."

Alsup said, "Yes, that's the man we're going to defeat."

I said, "Well, thank you very much." When I was introduced to him, I remembered then, that I'd read all about him. He was *the* crack labor leader in Las Vegas, and always making the headlines. He was tough on industry. He was a feared labor leader. And so, the election came, and they worked, and they did their stuff, and they defeated me. In the meantime, I went down and became warden of the prison.

Along about a year or two after I was appointed, but when my program was just getting going good, we had big headlines from Las Vegas, big shooting scrape. Ralph Alsup was in charge of the plumbers' section of the union. There was a lot of plumbers down there. He'd got in a scrape with the man in charge of one of the other sections of the union. The man pulled a knife on him, and he pulled out a gun and shot the man. Didn't kill him. They tried to quieten it down, and nobody wanted to bring any charges. The fellow that pulled the knife and got shot didn't want to prefer any charges. They wanted to keep harmony in the unions and not get any bad vibes, but the district attorney was incensed. They didn't like Ralph Alsup anyway, so they prosecuted him for assault with a deadly weapon, and he got one to five years. And that made the news all over. Of course, all the news media remembered the past campaign, when organized labor beat the state mine inspector. Now, the state mine inspector was the prison warden, and Alsup was on his way to prison. What was going to happen? One newsman would write an article that Alsup was going to come to the prison and organize the prisoners. Another one would concoct a story that Alsup was going to come to prison, and the warden was going to throw him in solitary confinement and leave him there. Then, they wondered if he would have a special car take him to

prison, or whether he'd have to ride like the ordinary criminals.

In fact, the guards were a little worried about this coming up. They heard all this, and they knew my personality by now, and they thought they knew Ralph Alsup's personality. They figured this is going to blow; it's got to blow. So, when it came time to bring him up, the captain said, "What are you going to do with Alsup."

I said, "What do you mean?"

He said, "Well, we got to bring him up here."

I says, "Well, what the hell. They're all coming up here. Bring him along with them."

He says, "You want to just send him in the regular paddy wagon?"

I says, "Who the hell does he think he is? Or who do *you* think he is? Of course, he's coming in the paddy wagon."

So, he came up with the paddy wagon. That got headlines. "Ralph Alsup goes to prison in the regular paddy wagon." Now, what's going to happen when he gets to prison? So this was on the mind of the captain and all the guards. What are we going to do with Alsup? What's going to happen?

The captain says, "How do you want to handle Alsup?"

I said, "Like you handle all the . . . he's an inmate here. That's all. Handle him like you do the rest of them."

Well, he said, "Going to send him out in the quarry?"

I says, "Of course! He ain't going to get no special favors. He's going out to the quarry just like everybody else."

So, they put him out in the quarry, and they watched him, and they kept me advised. I said, "You don't have to report on Ralph Alsup. Just treat him like anybody else. He does his rocks, and he's through."

Well, they had to tell me that he was a very industrious worker. He didn't speak to anybody. He just put his head down, went to work, and he was making more rocks and better-looking rocks than anybody else.

"Well," I said, "That's fine. When he gets his quota, put him in the yard."

So, they did. After a while they begin going back to do rocks—we were running out of fish. The old-timers were going back. Alsup went back, and the same old story. He did more rocks, and better than anybody else. I'd been thinking about Alsup. I knew by now that he was a natural leader of men, that he had to be to get where he'd been in this union. I could tell that people didn't give Alsup any guff. Like when the new fish comes in, they try you out. Nobody tried Alsup out. I needed somebody in charge of all these crews I had, taking care of everything, because it was quite a job. It's like an institution, you know. I didn't have time to go around and take care of the plumbing and everything else. I needed somebody that was a natural leader and who knew what he was doing, so I thought, "That's my man."

I'd never talked to Alsup. So, I had him brought in, and he thought, of course, he was heading for solitary or somewhere. But he came in, stood at attention, and I asked him to have a seat. He sat down. I made a few trivial remarks about this and whatnot, and then I said, "The reason I asked you to come in Ralph," and I said, "I know you, and I don't have a deep friendship from years gone by, but I've been watching you, and I know that you're a very skilled man. You're a natural leader of men. I'd like you to take over a very important job."

He says, "I'll do my time in the rocks like everybody else. I don't want any special privileges at all. Forget it."

“No,” I said, “That isn’t it. I don’t want you to have any special privileges, but I need somebody to take care of everything in this institution. The boiler room, the cell blocks—everything needs work. I want you to be in charge of everybody—the electricians—just take it over as if you were superintendent. And if you’ll do that, it’ll be a special favor to me. You don’t owe me a favor, but it’ll be a damn sight more pleasant than having nothing to do and making rocks.”

Well, he said, “Under those conditions, I’ll take it.” But he says, “I don’t want any special privileges from you now or at any other time. I was sent here to do my time, and I’m going to do it. And I’m not going to foul up.”

I said, “That’s fine.” So I said, “Now, you’re going to be in charge of a lot of men, and I’m not going to pick them for you. You’ve been out in that yard. You know men probably better than I do. You pick your own crew. If you have any doubt about any of them, come in and talk to me about it. Otherwise, you pick them yourself. You know more about those men out there than I do.”

Well, to make a long story short, it wasn’t long till Ralph was practically running that prison. He was efficient as he was as president of the plumbers union. I put him in charge of all the crews that were out tearing down buildings. I couldn’t have hired a better man if I’d had unlimited resources and access to the best workers around the country. He never did take advantage of me, and I never took advantage of him. Every day I went out and watched his crew. He was the one that dismantled the hospital out at Stewart, as well as many other buildings. When he wrecked a building, every salvageable board was saved. There was nothing broken, nothing. The furniture was saved, and I just don’t know how to

describe the value of that man. He built the six houses. They're still down there. They're just as nice as anything built during those days, and a damn sight better construction. The best labor you can imagine went in there.

Ralph just took over everything. Anybody that went with him, worked. They didn't fool around. If they didn't do what he figured was their utmost and the best they could do, they were off. They were replaced. Then, they soon knew to be in Ralph's crew is the A-1, but you better work. You better not cross him up. So, that went on till he was . . . he did his time. He didn't want any parole. He didn't want any supervision or anything. He did his time, and with good credits and everything, he did something like two years. Before he left, he sent word he'd like to talk to me. He come in.

"Well," I said, "Ralph, I hate to see you go."

He said, "You know, I hate to go myself." He says, "This has been some of the most pleasant time I've had. I've enjoyed my work." He says, "I've enjoyed doing it for you. And I want to tell you, I thought many a time of the first time you and I met, and what I said. I could have cut my throat. I wish I'd known you before I said that." He says, "You're a hell of a man." He says, "I hope you stay here from now on. And if you ever come to Las Vegas, don't you fail to call me. I want to repay some of this."

"Now," I said, "Ralph, hell, I'll call you when I come to Las Vegas. You're a good man, and you're a hell of a good worker."

So, Ralph left. Some time after that I had to go to Las Vegas, and I took my son with me. He was just eighteen. And I called Ralph. In the meantime he'd married. He married a woman he'd been going with for some time and hadn't married. She was some wheel in organized

labor, too. Nice lady. I called him. I said, "I just thought I'd call and say hello and see how you're doing."

In the meantime he'd got back and was president of the plumbers' union again. He said, "Where are you staying?" I told him. He says, "Tonight I want to take you out to dinner." He said, "I want you to be my guest." And he said, "Where would you like to go?"

I said, "Well, if you're taking me out to dinner, you decide where you want to go. You know these clubs better than I do." I says, "I got a problem. I have an eighteen-year-old son, and he's not going to be allowed in any of the gambling casinos."

He says, "Have no fear. We'll pick you up." And sure enough, he and his lady, his wife, showed up, and I forget where we went, but he had a choice table. Anywhere he went in those clubs, he had choice whatever. As we were having dinner one of the security men came up, and he didn't know who was at this table, but he saw an underage person, and he wanted to know who he was, his age, and we didn't lie. We told him.

He says, "Well, I'm sorry, but he'll have to leave."

Alsup never said a word till that point. He says, "You go get so-and-so," whatever his name was, "and tell him that Ralph Alsup is at this table, and he wants to see him."

When he said Ralph Alsup, it rang a bell for the guy and for the security guard, too. So he left, and pretty soon the manger came up.

They shook hands. Ralph said, "This is Art Bernard, the warden of the prison. That's his son. They're my guests, and they want to see the show and have dinner."

He says, "That's fine. That's fine." And he said, "Nobody will bother you anymore."

So, I came back and ran the prison.

The prisoners were working out in the community, is that correct?

All over the country. I told you about the building. But I had farm hands. Anybody that wanted a farm hand could come and get them, tell me what they wanted. I had good workers and dependable workers. I never lost one. I never lost anybody out of one of these work programs.

They never tried to leave?

They took off from the ranch. They weren't my trustees that were out. They were regular ranch hands—inmates under the jurisdiction of the ranch foreman. I had them take off from guards, but I never lost one from a work crew, never. Ralph wasn't the only inmate that I had in charge. If we have time, I'll tell you about others that were in charge of inmates. I had others. But the farmers I sent to the farms—they wanted some hay-bale buckers, I furnished them. And they paid me. They gave me credit for whatever the going rate was. They were just glad to get the men. They weren't trying to save money. They wanted dependable help. And I sure as hell had it. If they were paying hay buckers five dollars a day, I got five dollars a day worth of credit, and I took it in hay. They delivered the hay. If they were digging potatoes, I took potatoes. If it was something else, I took something else. I maintained our ranch. I got all the hay we needed. Potatoes, I got by the hundreds of tons. Growing potatoes in those days was quite profitable. They had big potato farms in Dayton, big potato farms in Carson Valley, and on down into Yerington and Smith Valley. They raised potatoes by the carloads. They needed to

pick these potatoes, and they couldn't have any potato pickers. I had the potato pickers. They needed to cull these potatoes. They had no potato cullers. I had them. This was during the time that they were picking them in the fall. Then, as the season went on, all these potatoes in these big potato cellars needed care, because some of them were rotting. They had to be moved. I had the potato movers. And I had trucks with potatoes coming to our prison farm. We fed our hogs cooked potatoes continually, and we had so many potatoes, I even started cooking them for the milk cows. They loved them. And I just don't know how many millions of dollars we saved, but I suppose, practically, we didn't buy any meat. We didn't buy any milk.

I took their wages in trade. If I had sixty dollars coming from this rancher for so much work, I took sixty dollars worth of hay at the prevailing price, so we both gained. And the farmers were just tickled to death. They came to the prison in the morning, got the man, and brought him back at night. Just tickled to death to get them.

Did the prisoners get extra credit for doing this kind of work?

They got work time. They didn't get any money, but they got, I forget, how many days a month work time. Between the work time and their good conduct time, they could do a year in about seven or eight months. They were all anxious to get out. And I had very, very few shirkers.

I'm going to finish on Alsup. I never saw him again from the time that he took us to dinner. I went back to Vegas, but I didn't call him anymore. In the meantime,

he got to be president of the plumbers union again, and he was having problems again. Paul Laxalt ran for governor, and Bill Sinett, his campaign manager, was an FBI man that Charlie Russell brought in when he instituted the gambling commission. But anyway, Bill . . . God, I'd see him. He was a very good friend of mine. Tall, lank fellow. Came to me, and he said, "Do you know Ralph Alsup?"

I says, "I surely do."

He says, "Well, he's killing us in Las Vegas."

I said, "Why?"

"Well, he's working against Paul."

I said, "Let me see what I can do."

So, I found some business to do in Las Vegas. By now, I wasn't the warden anymore. I was in private business. I was a real estate broker and building contractor for a couple years. Anyway, I took time off, and I went to Las Vegas and called Ralph. Ralph wasn't in. He was out hunting deer. I said, "When can I expect him?"

"Well, it depends on when he gets a deer."

Gee, I hated to wait till somebody gets a deer. Sometimes it takes all season. But I thought I'd wait a day or two, because I have sisters that got married down there and family. Fortunately, I can't remember whether he got a deer or just decided to come back, but he came back early. I broached the subject, and I said, "I gather you're campaigning against Laxalt."

"Well," he said, "he's a Republican. We support Democrats."

"Well," I said, "I thought that was it, but I just thought I'd mention it. Paul's one of my best friends, and he's a good man, one of the best. I sure wish you were supporting him instead of his opponent."

He says, "Art, if you want me to support Paul Laxalt, consider it done." He said, "You tell Laxalt that I'm in his corner. And you can almost depend on the plumbers' vote."

Well, I said, "Why don't you come up and tell him? It would sound better coming from you."

He says, "I will. When should I come up?"

I said, "Any time you want."

He says, "I'll be up Friday."

So, I got hold of Paul, and I told him that Ralph Alsup was coming up to talk to him Friday, and I said, "Arrange a lunch somewhere."

So, he did. Ralph came up. We went to lunch, and he told Paul, he said, "Art came down and asked me to support you, so I decided to come up and tell you I was going to support you. You can depend on the plumbers' vote."

Well, Paul wasn't . . . he was surprised, but not disappointed, and we depended on Alsup's support. But about a week later, somebody walked up, rang Alsup's doorbell. He opened the door, and they poked a shotgun in his chest and pulled the trigger. They never did find out who shot him. But he didn't get to work for Paul.

The unions were that violent in the 1950s?

They were violent. Yes. They played rough. And I think they still do. Maybe not as flagrant as they were during that era, but if you read the papers, they're getting in trouble.

Well, to get back to our building now. Ralph left before the buildings were finished, so I put this fellow Bell, the black one, in charge.

Long before that, shortly after I had taken over the prison, we had a burglary in Reno, and you may have heard about it. It was the number one burglary of the century—the Redfield burglary. Did you ever hear of LaVere Redfield? He was a very famous man. He had millions of dollars. He owned the whole east side of Mt. Rose. Hundreds of acres of timber in there. He had a nice home on Mt. Rose Street in Reno. He had a basement, and in this basement he had a safe, and he kept hundreds of millions of dollars—between silver and diamonds and rubies and jewels—in his safe. He loved to gamble. He'd go to the Riverside or the Mapes in those days, and anybody that would see him, would think he was just a farm roustabout. He wore old Levis, faded, patched, and he looked just like a two-dollar-a-day handyman. He had millions. Anyway, he had a wife. And he had a woman that did something with him, and she was his girlfriend. She knew everything about that house. She knew where everything was.

All at once, this safe was robbed. The safe was carted away! Nobody know's how they got this heavy safe out of the basement. News pictures showed this narrow, steep stairway going down into the basement where he kept the safe with all this fantastic loot in it. How they got it out of there. . . there were no marks on the stairs of dragging or anything.

So, they caught three of them. There were six of them involved, and one was the girlfriend. She masterminded the whole thing. She was a crook from a way back, with a good head on her. And she got a fellow from Reno, who was a bartender, and he involved his brother, who was as innocent as could be. And she imported three gangsters from Wisconsin. One of these gangsters was named John something, and I forget it. He was a dandy from a way

back. He was about five foot eight or nine, and weighed a hundred and fifty-five, sixty pounds, well built, dark complexion, handsome, conceited. He was accustomed to having everything he wanted and giving the orders. The three I got for the state prison were: the bartender, his brother, and one of the guys from Wisconsin. The others were caught across the state line. They were fleeing east. The girlfriend got caught over the state border. She and the other two went to federal prison. One of the three from Wisconsin had served on a murder charge back there, and while he was doing time here, they had a recap of his crime. Anyway, he'd been working on it when he got caught here, and he was found not guilty on that. They reversed the decision. So, when he did his time here, he was going out. He was free. The other two came here to Nevada, and I'm walking through the yard after they were all sentenced. God, who do I walk into? Young Firpo, for God's sake! A light heavyweight that was fighting when I was fighting. He was from Idaho, and he was a big middle weight, light heavyweight. He was around 170 pounds. He was too big to be a middle weight, and too light to be a light heavyweight, but he was good. He was a contender. He won the Pacific Coast light heavyweight title, and I knew him, not too well, but I knew who he was, and he sure knew who I was. And do I come face to face with Young Firpo? I'm not going to tell you his name, because his brothers might still be in Reno. I don't know. But Young Firpo will do it. He fought under the name "Young Firpo." Many fighters took the name of somebody that was famous, and Louis Firpo was a heavyweight who knocked Jack Dempsey clear out of a ring. So this guy was fighting as Young Firpo. Young Firpo now is not any taller than he was, but he was square, and he weighed around two hundred and two or three pounds,

and he was all muscle, all man, strong as a bull, and just as friendly as he ever was. I said, "What the hell did you do?"

He says, "I carried the safe. Don't you read the papers?"

Firpo was not too smart. He wasn't dumb. He was just naive. And when they were planning this burglary they had to figure out how to get this safe out of his basement. He said, "I got a brother could carry that safe." They made a harness for him. They got him down there, and they got that safe on his back. That safe had to weigh 300 pounds, and Firpo staggered up those stairs with that safe on his back, and they put it in a car, and they went somewhere north of Reno, some old mine that they found up there, and they blasted the safe open, got everything out of it, and shot the safe down in the hole. They recovered most of the jewelry and money. Anyway, that's how I got Young Firpo, and more about Firpo later.

We'll get on to the building program again. We were on John from Wisconsin, who was one of the three robbers that came to my prison. He refused to go out in the quarry and work. He says, "I wasn't sent here to work."

Well, the warden will decide, so I told John, I said, "Everybody makes rocks here when they come. You'll make rocks. If you want to rest, I'll put you where you can rest. Nobody will disturb you."

He says, "That's all right with me. I'm doing no rocks. I'm not going to get my hands blistered."

So, I put him in detention. I said, "When you decide to go make rocks, send word."

It was the next day he sent word. So, he went out, but before he went out, he says, "I can't work. I've never worked in my life." He says, "I don't know how to work. I have no intentions of working."

“Well,” I said, “you’ll find out how it is there. They’ll give you a hammer out there and chisel, and you’ll see how the boys are doing. You’ll learn.”

Well, he went out. Some of them couldn’t do a very good job, but they had to do their work, so they’d buy rocks from somebody that was good at it, and they’d pay them five cents or ten cents a rock. This guy would do his rocks, also four or five extra, or six, whatever he needed, for this other guy who would pay him. Fifty cents was a lot of money to these guys, so he’d make five rocks and get fifty cents, took care of John. He started hiring his rocks built, and he had plenty of money. He could call for whatever amount he wanted. He had access back in Wisconsin. So, I heard about that. I called him in, and I said, “You’re going to have to make your own rocks. You just can’t buy them. I don’t mind somebody buying a few rocks, if they’re hurt, or for whatever reason, but I’m not going to stand for somebody buying all their rocks. Now you’re going to learn to make rocks.”

So, he went out, and then I had them watch him very carefully, and he started making rocks, but not very good. So the next time he took a turn out there he was a little bit better, and they told me, “John’s doing pretty good. He’s making passable rocks. They’re not as good as the others, but they can be used to fill in.”

So, he never complained again, and he went on making rocks, and then he asked if he could get a job as a trustee. Well, they came and asked me. The guards said, “His conduct’s been good, and he’s been doing the best he can. He’d like to get out of there and be a trustee.”

I said, “It’s all right. He’s earned it.” So, we put him out on the lawn detail, cutting lawn and whatnot.

Getting on Ralph Alsup's crew, as I told you, was the epitome of success. One day John came in and said, "Warden, can I get on Ralph's crew?"

I says, "I don't put anybody on Ralph's crew. He picks his own men. If you can talk him into taking you, you're welcome."

Well, he did it. I don't know what he . . . maybe Ralph decided to give him a chance, a crack, or something, but he took him. And that John became a dedicated worker. He'd never had so much fun as he did when he learned to build. So, he got on the plastering crew, when they were building these six houses. They were all lath and plaster—no sheet rock there. The very best was none too good for us. When they were about halfway through the plaster job, the plasterer quit. He was released.

So, I put John in charge of the plastering. That was better for him than robbing a bank back in Wisconsin, if that's what they did. He got his parole date. His parole request came up, and he was granted parole and release on a certain day, and there was a house they hadn't finished. So, he came to me, says, "That house isn't finished."

Well, I said, "Some of the other guys will finish it."

He says, "Nobody can do it right."

"Well," I said, "I don't know what the hell they're going to do."

He said, "Can I stay and finish the job?"

I says, "How long will it take?"

He says, "A good week, if I work hard."

I says, "You spent I don't know how much money trying . . ." When they first came in, he had lawyers from all over hell trying to get the sentence reduced. I says, "I don't know how much money you spent trying to get out of here. Now you want to stay?"

He says, "I don't want anybody to ruin my plaster job."

I says, "All right, John, you can stay."

He stayed six days, finished his plaster, and took off again for Wisconsin and the gangs.

You're talking about people who really made changes in their lives by being allowed to work and being trusted to work. What kind of public response did you get to this program, to having the trustees out?

Well, the only way I could answer that was if you'd have been here and read all the news media I have, and the report from the senate and assembly committee that came down. They couldn't believe what I was doing. When I started building these houses, I wanted to build five houses. I built six, because I had extra material—sinks, and stoves, and everything—and I wanted to use them. Five was the original. And there were some things I just couldn't buy, so I asked the senate committee for \$15,000 to build five houses. They came down. They were all prominent men in those days. Some of them were good friends of mine. Some I'd never met. They came down, and I showed them plans of what I intended to do, and they said, "You want fifteen thousand dollars for that?"

I said, "Yes."

"My God, you can't get started for \$15,000. That's a project!"

I says, "I know it is, but I'll do it for \$15,000."

"You can't do it. You just can't do it. No matter how good you are, you can't do it."

Well, I said, "Give me the fifteen thousand."

"Well, we'll give you more. You just need more money. We'll give you more money than that."

“No, I don’t want more. I want to do it for \$15,000.”

So, they gave me the fifteen thousand, and by the time I had the five houses practically constructed, and I had the rest of the material, I built another one. So, I built six, and I still hadn’t spent the fifteen thousand. They knew that. They came down, and it was not only publicized, but If you had time to read all these letters of what the warden’s doing. I just read one now about when Sawyer was defeated, they wondered I submitted my resignation, and Sawyer didn’t accept it, so some newsman wrote an account, a nice little column there. I can’t tell you what it is. You’d have to read it. It’s not very long, if you want to read it.

You were getting positive publicity from the newspapers?

Oh, yes, and from the people, from the legislature.

I have a question about the guards and their relationship to the inmates. You talked about how, when they were out on the work crews, the inmates wouldn’t try to get away from each other, but they would try everything to get away from the guards. I’m just curious about what the relationship was.

It wasn’t that they didn’t like the guards. It was the fact that the guards were watching them and guarding them, and it was a challenge to get away from them. Any time you challenge an inmate . . . or when you challenge somebody like with all these shootings, school shootings, and guys going amuck with a gun, and passing more gun laws, more gun laws, more gun laws. It’s these gun laws that are creating the problem, because you’re

challenging somebody, telling them that they can't do that. "We'll pass a law. You can't do that." They'll show you they can, and that's what these convicts would show that guard that they could get away, could outwit him. They could get away with it. They didn't want to do that from one of their own, because they were on their honor to work there. If they violated that, they were violating the trust that one convict who was in charge of the crew had over the other men. They just didn't want to violate that trust, because they weren't getting away from the establishment, so to speak. They were violating a code of their own.

I never lost one, out of those. And I had hundreds and hundreds over the years. I don't know how many men went out. Never lost one.

Did you ever have any cases where you saw the guards being unfair to the convicts?

Never. Never. I watched that very carefully. I never had a guard that would deliberately torture anybody. There were guards that just had no use for the inmates, and the inmates knew it. There were guards that were friendly with the inmates, and that led to some problems, more problems than those that weren't friendly with the inmates, because any time the guard got friendly with an inmate or two, they started taking advantage of him, of the guard. But I never had any sadistic guards. I had some that were more pleasant than others, but I never had a case where a guard was abusive to an inmate.

COURT OF LAST RESORT

***I**'D LIKE TO HAVE you explain who Erle Stanley Gardner was. Let's talk about some of his articles and your relationship with him.*

Well, Erle Stanley Gardner was one of the most prolific and famous mystery writers of all time. I can't remember all the millions of books he sold and what countries they were sold in, but he was the tops in his field, and probably still is. I was an avid reader of Erle Stanley Gardner, because he wrote the kind of stories I like. And then he started this "Court of Last Resort."

Tell me, was he trained as a writer?

No, no. Erle never graduated from high school. He learned his law, so to speak, working in a lawyer's office. And when he passed the bar and got his license, he started working in Ventura, California.

So, he was a qualified attorney?

And developed into one of the most true. In those days a young attorney didn't get many cases, and the only cases he got were the when the judge appointed an attorney to somebody that couldn't afford it. He was a court-appointed attorney. Or somebody that could afford a little bit and might not pay it. So, he started getting all these cases, and a lot of them were Chinese. It got to the point where he was winning every case. He was like Jake Erlich. In fact, I'll have to talk to you about Jake Erlich.

Jake Erlich wrote a book, *Never Plead Guilty*. It was a bestseller. Jake Erlich was the most prominent, famous criminal attorney in the San Francisco area for many years, in fact, till his death.

And so, Erle would win these cases, but he never got any money, so he decided . . . some of them were very, very interesting, these cases and how he got them off, so he started writing these stories. In order to eat, so to speak, he decided he'd have to write up some of these interesting cases and see if he could sell them. Well, he sold one or two, but it wasn't anything that was going to go over too big, but he got interested in writing then, and he started creating fictional characters. He concocted an apparatus that is now called an RV. A self-contained trailer, camper. He built this on the back of a pick-up truck, big enough to maintain a stove, a little table, a typewriter. And he'd head for the desert, so that nobody could bother him. He'd get no telephone. Out in this desert country, all over southern California, it wasn't populated like it is now. A lot of places that are cities now were nothing but wildernesses in those days. And he got acquainted with a lot of characters, who later got in trouble, committed, not murders, but killings, most of

them in self defense, and were sent to prison. They didn't have any money to hire a lawyer, and if they did, they never got a good one. But they happened to be friends of Erle's, and when he heard that they were in prison, he'd investigate, find out that they had been railroaded, so to speak, and he'd give of his time, and eventually, I think, he never missed one. He got them all out.

He was a great friend of Harry Steeger, who was the editor of *Argosy* magazine. Well, Erle was getting a lot of requests that he couldn't handle, so he talked it over with Steeger, and they decided that between Erle's legal work and Steeger's magazine, they'd start something, and they called it the Court of Last Resort.

On a trip to southern Baja California on a camping trip, they discussed all these innocently incarcerated men and decided that, if they could get a group of men together who would work, who would donate their time, and pay their own expenses, they'd take as many of these cases as they could, and they called it the Court of Last Resort.

And who were these volunteers? Were they experts of some type?

Oh, yes. They were doctors and attorneys and investigators, who were so good that they could afford to work for nothing on special cases. And right at this minute, all the men that were involved don't come to my mind. Some of them do: Dr. LeMoyne Snyder, famous pathologist; Marshall Houts, former FBI agent; Alex Gregory, world famous polygraph expert; Park Street, legal specialist from Texas; and, in later years, Art Bernard, penologist.

Steeger publicized this in the *Argosy* magazine, and then they began getting requests from near and far, and

they had to be very careful. The only failures they had were where they could get absolutely no cooperation from the state officials. For instance, on one famous case back in the Midwest not only would the prison not cooperate with them and gave them absolutely nothing, but the governor sent word for them that they better leave the state, that they weren't wanted. Aside from that, some cases were not quite that bad, but no cooperation. Everywhere where they got cooperation from the state institutions, they got the man off, and it's a long, long story. They put out two issues of the *Court of Last Resort*, and in one of them he tells of many of these cases.

Did they approach you to work with them?

Well, they did eventually. After I got with Gardner, I served on the court. I was responsible for getting a couple of guys off. Also, in working with Gardner, while at the prison, I started interviewing murderers on why they committed the murder they did and why they hid the body where they did, because they would commit a murder in a place and take the body three or four hundred miles away. I had a hunch why they were doing that, but I wanted it right from the horse's mouth. And sure enough, when they committed a murder, it happened to be wherever it happened to be. Then, they had a body to dispose of, and they didn't know what to do or where to put it. They'd wrack their brain, and they were very familiar with some out-of-the-way place, and they'd go there and hide that body. Almost inevitably, that's what happened.

There was a journalist with one of the big papers in San Francisco. Ed Montgomery was his name. He and I were very friendly, and he was very friendly with Erle Stanley Gardner. I made tapes of all these interviews—

hundreds of them. I'd send them to Gardner, and Montgomery was one who read every one of them. He used my material to find a body that had been hidden in Northern California. Everything that I had in these records led him to this body hidden in a grave on a side hill where no one would have suspected, because the girl weighed 115 pounds, and this suspect weighed 135. He was a veteran, and he'd had various illnesses and no strength—he almost couldn't carry his own pants. After they found the body, following my recommendations and interviews, then they had to prove that he could do this—whoever had murdered the girl. They found the girl buried on the side hill. While the press were describing this story, they had her buried on a side hill that was full of downed timber and trees—impenetrable. In fact, some of them said it's hardly possible for a deer to get through there, let alone a man carrying a body. That he kept up, kept trying and trying and trying . . . and he told me later, he says, "I think it was those interviews with you. I knew that had to be there."

He finally traced him by his gasoline trail up there. His folks had a summer cabin up there on this creek that was good fishing. And he'd go up there and stay all night and think. One night he was there, and he thought he smelled something that reminded him of a dead body, but he couldn't tell where it was coming from. There was a trapper lived down the canyon, and he knew where he was, who was a bear hunter, and he had some blood hounds that he used to track bears. At one o'clock in the morning, he went down and hired this fellow, got him out of bed, and said, "There's a smell. There's a body smell, and I want to find it."

This guy came up with his dogs, and they circled around there, and just about daylight the dogs found . . .

there was one little foot sticking out of the ground. They found it. He hadn't buried her too deep. And naturally he couldn't. He was up there probably without tools. Anyway, in the passing of three or four months, the ground had settled, and there was one foot sticking up, and just that little foot made the smell that he smelled and that the dogs smelled later.

So, at this point, when you were doing these interviews, did you already know Gardner at that point?

Oh, yes. I was doing these interviews and sending him the tape. Montgomery and others had access to these tapes. Gardner, any friend that he knew that was an investigator, he'd say, "Come, listen to these tapes." And they did. Those tapes are now in the University of Texas, in the Erle Stanley Gardner Room. Before he died, Erle Stanley Gardner willed his office, intact, with everything in it, to the University of Texas, and when he died they moved everything. They rebuilt his office down there, and everything that he had in that office went to the University of Texas, except that rocking chair that's in there. That was his favorite rocking chair, and when he died, his wife Jean called me and said, "Erle loved that rocking chair, and I know he'd want you to have it, if you want to come and get it before they come and take pictures of the office inside," because he had it in his office. She said, "I'll take it out, and you can come and get it, and it's yours. I know Erle would want you to have it." So, I drove down, got the rocking chair, and I have been sitting in it for years now, when I watch TV.

Let's go back to how you first met Gardner.

All right. You're familiar with the case of Emma Jo Johnson? In Las Vegas in the early 1950s, probably 1952, there was a lot of information in the papers of a murder. Some young woman was accused of attacking an older woman with a can opener and beating her to the ground and causing a blow to the head that caused her death. One read the paper and knew that this was a vicious young woman with a blood lust. She was convicted of second-degree murder. So, when she was scheduled to come to the penitentiary, my wife and I happened to be in Las Vegas, so we decided to take her and save a trip with the state paddy wagon. I put her in the back of my car, and I didn't handcuff her or anything. I wasn't afraid that she was going to take off. She was a nice, clean-cut, young lady, and as we traveled along, she and my wife talked back and forth, and it developed that she was a military bride. She and her husband were stationed in the Hawaiian Islands. They didn't get along, and she came back, moved to Las Vegas, due to the short waiting period for divorce, and she went to stay at a place that catered to divorcees. When she got there she found that every occupant was a divorcee. The owner of this place—we'll call her Jones. It developed that she was an old madame. She'd get these young divorcees, and she'd send them out on call, on a percentage. When she broached this to Emma Jo, Emma Jo revolted and left the place, went and lived somewhere else, and left a forwarding address. She never got any mail. She'd call in, and Jones would say there's no mail for you, nothing. And that went on for weeks.

Finally, Emma Jo met one of the inhabitants down there, who was getting along with Jones and going out on call. She said, "There's a lot of mail down there for you. There's a stack of mail for you." So, she barreled down

there to get her mail, and she got in and saw the mail before Jones came in and stopped it. Jones tried to stop her from picking up her own mail, and they got into a hair-pulling match, and Jones fell down on the floor. She was unconscious. They sent for an ambulance, and they took her off to the hospital. Several days later she died. They tried Emma Jo on a first-degree murder charge, and they convicted her on a second-degree murder. And that's where we came in, and we were taking her to the prison.

She was a clean-lived, well-spoken, well-educated, young woman. She was not a . . . well, you can't tell what a murderess is, but she told us her history, and, of course, everybody's innocent when they come to prison. I hardly paid any attention to it, but she and my wife went on and talked and talked.

When we got to the prison, we put her in where they go for the first two or three days, and my wife told me, she says, "That's a nice young lady. I don't think she killed anybody."

I said, "Well, I'll read her transcript." So, a day or two later I read her transcript. It just didn't make sense to me. I could tell that it was not really a true transcript, that they'd left off a lot in places and put something else in places, but reading between the lines, I couldn't see where she could be guilty of murder. The lady fell down, and then the doctor report said that she died from a subdural hematoma.

And the prosecutor said, "Could this have caused her death?"

He said, "Yes, it could."

And various other questions that led me to believe that the doctor was helping the prosecutor, whether he realized it or not. And this doctor happened to be a doc-

tor that I'd known years ago in Pioche and Caliente, when he came out of medical school. In fact, he treated my wife, when my first son was born. I always considered him a friend. He got in a jackpot, selling narcotics to help out when he started his practice, and he was on his way to prison when I intervened. At that time, I had quite a bit of political pull in Lincoln Country, and one thing led to another, and the charges were dropped against him. So, whether he knew it or not, or realized it or not, he owed me one.

So, I thought, the first thing I'm going to do is go down and talk to the doctor. And I did. I said, "I read that transcript, and it just don't make sense. It seemed like you were helping the prosecutor intentionally."

Well, he said, "I didn't intentionally."

I said, "They asked you if this hematoma could have caused her death, and you said, 'Yes, definitely.' Why did you put that notation on it, 'definitely'?"

"Well," he said, "I was told before the trial that I needed my license renewed, and that if I wanted that license renewed, I better play ball." So he said, "I just answered the questions to the best of my ability, the way I think they should have been."

I told him what I thought of him and whatnot, and I left. I started investigating further and further, and I was gathering a lot of information, but hitting a stone wall with my head. I got a call from a doctor, and I forget his name. He said, "I know you're around here investigating the Emma Jo case." He says, "I can tell you a lot about that."

I said, "Well, I'd like to hear it." So we made an appointment and met.

He said, "She didn't kill that old Jones bag." He said, "I was treating her for that subdural hematoma for a

month before she died—before they had the altercation. And the way she got it, she was drunk, and she fell back and cracked her skull. I'd been treating her ever since."

I said, "My God, why didn't you say something to the officials?"

Well, he says, "I did. I went to the prosecuting attorney, and he told me to mind my business, and he told me that I needed my license renewed, and if I wanted it renewed, I better take care of my medicine practice and leave the prosecuting to the district attorney." He said, "I just couldn't get over it, so I went to her attorney."

Her attorney was the next prosecutor, who I knew, who had railroaded a man on a murder charge and had deliberately manufactured the evidence that they sent to the FBI, and had an FBI man testify. That was a sad case. Anyway, he was now the defense attorney, and this doctor said, "I went to him, and I told him, and he told me the same thing. He says, 'You better watch it. This is none of your business. Keep your nose out of this case, and take care of your medical practice. Don't you interfere, or you're going to be without a license.'" He said, "This was from her defense attorney!" So, he said, "I figured that's all I can do, until I heard that you were investigating it, and I thought I'd tell you."

I said, "I got all the information I could."

So, you asked him if he would testify then?

Oh, yes. By then I knew that Emma Jo was absolutely innocent.

Did anybody threaten you when you started investigating?

No. No. I was above being threatened. I didn't have anything that anybody could take away from me, and there certainly wasn't anybody going to attack me physically. In those days I could still handle damn near any of them. And then, I began to think, "What am I going to do? What? I can't investigate in the police department any more. I can't investigate in the prosecuting department. I'm dead, unless I can" I thought of the Court of Last Resort. "God, if I could just get that case in the Court of Last Resort, in front of those experts." By then, I knew who they were and how they worked. "If I could just get a hold of Erle Stanley Gardner." Gee whiz. Get a hold of a famous person like that. Even with being a warden of a prison and writing wouldn't do any good. I'd have to meet him. And by God, just about then I picked up a Nevada paper, and he was going to be the speaker at the American Bar Association. It was going to be in the Riverside Hotel. "How the hell am I going to meet Erle Stanley Gardner?" So, I found that Clark Guild Jr. was in charge of the meeting, and Clark and I are very good friends, so I called him, and I told him my problem. I says, "I've got to meet Erle Stanley Gardner."

Well, he says, "I'll see that you meet him. I'll get you at the head table, as my guest." So that happened, and finally the opportunity came after the speech, to meet Erle Stanley Gardner. Clark took me over, and he says, "Mr. Gardner, I want you to meet Art Bernard. He's a very special friend of mine. He's the warden of the Nevada State Prison, and he has a problem."

I took off, and I told him my problem. I did my best, and he said, "I'm sorry." He says, "I'll . . . give me the information." He says, "Write me the information, and we'll do the best we can." He says, "I can't come to the

prison." He says, "I'm pushed. I'm pushed for time. I've got to get on a plane at 11 o'clock tonight."

I said, "I just can't get this information to you in a letter. You've got to meet this girl. You've got to meet this girl and talk to her and read the transcript."

Well, he said, "Mr. Bernard, I'm sorry about that." He says, "I just can't do it."

I thought, "God, I'm dead." And I just walked away a little bit, and three or four women converged on him. They'd been waiting to get a chance at him, and I didn't know it then, but a group of women just confuse Gardner till he don't know how to act, how to argue with them. I could hear him mumbling and mumbling, and they were all trying to talk at once. I walked back, and I said, "Ladies, I'm sorry, but Mr. Gardner has an appointment with me, and we're late now." I grabbed him and started taking him away.

When we got a little ways away, he says, "Well, you son of a bitch! How did you do that?"

I said, "It just came to me."

"My God," he says, "you really want me to go to the Nevada State Prison."

I said, "You can bet your boots." I says, "I'll drive you over." I looked at my watch. I said, "If we hurry, I can get you back to catch that plane."

"Well," he said, "There'll be another one shortly thereafter." He says, "All right. Let's go."

I went out to get my car. I had a DeSoto, big DeSoto sedan, and it wouldn't start. I dashed back in, and the first guy I run into was Miles Pike. He was the U.S. Attorney General in Reno at the time. I said, "Miles, I'm in a jackpot. I've got Erle Stanley Gardner. I've got to take him to Carson, and my car won't start."

He says, "Use mine." He says, "It's a Lincoln." And he told me where it was parked. I went out. The car was there. It started. We came to Carson. And Miles had told me, he said, "Don't bother about bringing the car back." He says, "I can get a ride home. And you don't have to bring it back till some time when you come over."

I left my car there. I made arrangements to have that taken care of. And we got to the prison about 10:30 that night. I'd called my wife in the meantime and told her to have Emma Jo dressed and ready. I said, "He can't stay long, but I want him to talk to her."

Well, he came over. Emma Jo was there, and before he left he knew Emma Jo was innocent. He says, "I just felt it." And he read that transcript fast and says, "We'll take it from there."

In the meantime, I'm in Carson, and he's got to be in Reno, and I said, "Could you possibly stay here and be my guest tonight? And I'll take you to Reno in the morning."

"Yes," he said, "I really didn't have a plane to catch." He says, "You've got to be ready to catch a plane whenever you're in a tight hold." He says, "I can stay here."

So, by the time he left . . . by the time I got him at a plane the next day, we were buddy-buddies. From then, we became hunting and fishing partners. We were the very best of friends. I visited him at least once a month. We'd go on camping trips, investigations. I began working with the Court of Last Resort. He was married at my house. I distributed his ashes over Mexico when he died. We were as close as you could get. And he was one of the sharpest men I've ever known and one of the best. A good man. He done more good in this world than a lot of men with a lot more authority.

What did he do for Emma Jo?

Oh. We interviewed everybody I'd talked to, got them on tape. We called a meeting of the board of pardons and parole, and they commuted her to time served. By the fact that the Court of Last Resort had taken her case, she got national publicity. Ralph Edwards, who was in charge of *This is Your Life*—he was a red-headed fellow—he contacted me and Erle, and we made arrangements to put her on *This is Your Life*—*Emma Jo Johnson*. And you're familiar with how they do that? They get you in the audience, and you don't know a thing about what's going to happen. Everybody's in the back that's going to be part of the show—myself, Gardner, the doctor who treated Jones for the hematoma. I think that's all. I think there were just the three of us. We were facing the audience in the back, and when Ralph Edwards gave this spiel, he said, "This is your life, Emma Jo Johnson." And there's Emma Jo down there, and, of course, they had their people ready. They brought her up on stage, and she was so confused, she just didn't know what had gone on. She'd been given this ticket to be there. It had all been pre-arranged. And she didn't know what happened until she saw me. Then she just let out a scream. And they went on. Oh, they had her mother there and a woman that had taught her in school.

Anyway, everybody was let out one at a time, and when I came out and was introduced in front of the mike, she asked Ralph Edwards, "Can I kiss him?"

He said, "If he don't mind, I don't mind."

She just threw her arms around me, and she said, "This is the happiest day of my life."

She, by then, had gotten married. I heard from her for years, and then, I heard just from Jack, her husband,

and then I gradually . . . whatever happened to her, I don't know. But she was a nice person. She was the one that got me on the Court of Last Resort.

So then, you were working with your friend, Erle, on different cases?

After that, yes. I'd never met Erle, of course, until I pulled that faux pas in Reno and got him away from those women. For years and years, every time we'd be at a meeting somewhere, he'd tell them how we met, and how I saved him from these women. He said, "This guy had a brainstorm." He'd always tell them how we met. Never failed, whenever there was a meeting. I don't know whether he worried about somebody's worry of how we met or not, but he had to tell them.

Were there other people like Emma Jo Johnson, that came through the prison, whose cases became pretty famous?

Oh, yes. There was a school teacher named Ensinspranger. I forget his first name—big, handsome man, over six feet, two hundred pounds, all-American boy. He was a school teacher in Oakland, California, and a coach of whatever sports they had. He was a professional football sports nut, and during the football season he liked to go to Las Vegas and play the odds on football games. That was his hobby. He'd save his money. And so, on this particular year he did that. At that time, and probably still now, before you board, they take your baggage, and they weigh your suitcase. They weighed his. He had a small bag with just what clothes he would need, extra shirts, and socks, and drawers, and whatnot. Anyway, it weighed twenty-two pounds. There was a record

of that in Oakland when he boarded. Something happened to the flight, and instead of going straight to Las Vegas, they had to go to Los Angeles, and they docked there. Then he got another plane and went to Vegas, but he didn't get his bag. They didn't get the baggage. They told him his bag would come to Las Vegas on the next flight. So, all he's got on is the clothes he had when he got off the plane and boarded the other one to Las Vegas. He had the reservations in Las Vegas, but he didn't have any money, except what he had in his pocket. He had checks in his bag—traveler's checks.

So, the next day he went down to the station . . . to the airport, and his bag didn't show up, and he began to get worried. He needed his clothes. The next day it didn't show up, and the next day—and he's frantic. He just couldn't leave, and he didn't have any money. He was in a terrible predicament. It went on for eight days. Finally, on the eighth day they asked him his name, and they had him show proof that this was his bag. They handed it over to him, and the minute he took it in his hands, two officers, one on each side, from the ATF—that good old ATF, or what ever the agency is, the narcotics agency—took him in tow. [Bureau of Alcohol, Tobacco, and Firearms] His bag didn't have his clothes in it. They had a dirty pair of socks and a dirty pair of shorts, and it was plumb full of marijuana.

The baggage, fortunately for him, weighed eight pounds. Somewhere along the line, it had lost fourteen pounds. He said, "This is not mine. These are not my things. I had all my clothes in here."

Well, what had gone on at that time in narcotics, the gangs in Los Angeles or Chicago or wherever, were in cahoots with a another gang from another town, and they were shipping dope from here to there. And how do they

do it? They put it in somebody's bag—shovel everything out of there, and fill it with dope, and send it to its destination. There it would be picked up by someone who knew, who would take the narcotics out, close up the bag again, and when the owner came and asked for it, he got his bag, but there was nothing in it. There was no dope in it either, but this time they got it before the gang could get the dope out of it. And it was a frame-up job. It had to be.

Well, he pled innocent, of course. He got a defense attorney from the office of the public defender, and one of the head men of the narcotic division named White said that the man couldn't be guilty, because he said that his suitcase was weighed in Oakland and weighed twenty-two pounds. When it got to Las Vegas, it weighed eight. He said, "All these clothes have disappeared. He can't be guilty." But they weren't going to take any of that guff. They got a jury, and they convicted him. And I forget what . . . they sent him up for how much.

Anyway, this White—God bless him—made so much noise. There again, you had to have somebody with some authority, an attorney that he couldn't afford. Jake Erlich was approached, and he said he'd be glad to, but he wanted to investigate first, and see what the scoop was. He called me, introduced himself, and told me that he'd been asked to represent Ensinspranger, and what did I think of it, and what reception could he expect, if he accepted this case?

I told him, I said, "You can expect the national guard to come out and greet you, because that man is absolutely innocent. I know it. He knows it. And the narcotics division knows it."

Jake said, "I'll be there." So, he came up the next day, and he was my guest as long as he was here. I have

his autographed book and nice letters from him. Jake and I got to be palsy-walsy, just like I did with Gardner. When we gave this information to the pardons board, they released Ensinspranger to time served. But in Nevada, they won't give anybody a pardon, because then that gives them an opportunity to sue the state, which they don't want to pay. So he had no recours. He got out of prison, but he's always going to be an ex-convict. He'll always have that record.

He got back to Oakland. They fired him. They knew he was innocent, of course, but he was an ex-convict now, and they couldn't keep him on. So they ruined this man's entire life—a nice, young fellow, twenty-nine years old, he was. That's what some of our justice departments do. I could sit here all day and give you instances of people who were railroaded. The only ones I had were from Clark County.

I'm curious then, for Emma Jo Johnson, she wasn't pardoned either, correct?

No. No she wasn't pardoned. She always was an ex-convict, too, but it wouldn't bother her. I mean, it wouldn't bother her livelihood.

Where it affected the school teacher's career.

Yes. God knows whatever happened to him. He probably never got another job teaching school. That's terrible.

BANK-ROBBING BARBER

IN THE MIDDLE 1950s sometime they had a case in Sparks where two couples, two young couples, had robbed a bank in California, had escaped across the line into Nevada, and they were pinpointed to have got to Sparks, and information that they got led the police to a motel. When they introduced themselves as police officers, the door wasn't opened, so they broke in. The two alleged bank robbers . . . and it developed that they *did* rob the bank . . . one pulled a gun and started shooting, and instead of hitting the policeman, he hit his partner and killed him. So we've got one dead bank robber, one live bank robber, and their two wives. They were nice girls, nice-looking girls. They came to prison in Nevada on the murder charge, and the girls on bank robbery.

Then, when they served their time here, the federal system had a hold on them, because bank robbery is a federal crime. So this young man's name was—we'll call him Don—and his wife's name was Ann. I don't remem-

ber the name of the man that was murdered. It's beside the point. I don't remember his wife's name either, but she served time there.

This Don was a problem. He was getting in trouble all the time, and he was uncontrollable. He was just unmanageable. The rest of the inmates all tried to help him, by telling him that the guards made all the women up in the women's prison, and his wife didn't need him anymore, because she had the guard. He was just crazy, insanely jealous, and believing all his stuff. And no one knew, certainly the guards didn't know what was creating these problems. He was always in cell detention. He hated all authority. God, he just *hated* authority. And one day the guards came to me, and they asked what were they going to do with Don? They found him, and somebody . . . he painted a sign on his stomach, "Intercourse the warden."

I said, "Well, nobody's going to do that. Just clean him off, and let's forget it. He's got problems. I don't know what his problems are, but he's got problems."

A little at a time, we got him settled down to the point where I found out he was a barber, and we could always use barbers. We had two barber shops. One was in the mainline, in the main yard, and they barbered the convicts. The other was out in front, and they barbered the personnel, including the warden. So, as time went on I had them put Don—since he was a barber, and figuring that this might calm him, if he had something to do—in the mainline barbershop and watch him. So they did, and time went on, time went on. He was a good barber. When the reports came out, he was a good barber.

The reports also came out that he had one dream, so to speak. He wanted to get the warden in his chair. "And for God's sake, Warden, don't ever get in around that barbershop."

I listened to all that. And you know, to kill a man and cut his throat takes a whole hell of a lot of nerve. Somebody could say, "I'll shoot you. I'd like to shoot you," or "I'd like to do this, I'd like to do that."

He'd like to cut my throat, which is what he meant, "If I get him in the barber chair, he's gone."

One day, I decided I'd have a little fun and grinned a little bit. I'd just been told by a guard again, "For God's sake, don't get in that barber chair."

Because I used to go visit all the barbers. Everywhere in the prison I visited, including the barbershop. I was a barber once upon a time, and I was a good one. I decided I'd go in and have Don shave me. There are two chairs in the mainline shop. So, I walked into the mainline, and I started down. I asked the guy on seven post, Lieutenant Peck. I said, "Is Don working in the barbershop today?"

He says, "Yes."

I said, "I think I'll go get a shave."

Jesus, the place exploded. "God, you can't go in there!"

I says, "Why can't I go in there?"

"My God, he'll cut your throat."

I says, "I don't think so. It's my throat. I'll take a chance."

"Oh, Warden, you can't do that! You can't do that!"

"Hell," I said, "He isn't going to cut my throat."

"Oh, you can't go in." They were creating excitement in there that the convicts couldn't be in seven post, but they could look, and the talk was so loud, they could even hear it out there.

Anyway, I says, "And don't anybody come in there. Don't anybody come in and interfere or interrupt." I walked in the mainline barbershop. As the newest barber, Don had the back chair. The best barber and the

oldest barber always gets the front chair by the window. He had a guy in there, an inmate, he was shaving. The guy's laid down, had a towel over his face. I said, "Howdy, fellows." Geez, I says, "Don, I understand you're a hell of a barber and put out a goddamn good shave. I'm in the mood for a good shave." I sat down in the chair, and I said, "Have at it."

The guy in the other chair threw his apron off, grabbed his towel, and threw it on the floor, and he went out the door, and the barber followed him. That left just Don and me in there.

Don was so frustrated and ill at ease that he was shaking, actually shaking.

I said, "Don, I want a shave. I'm just flesh and meat, just like anybody else, and it's hard to get a good shave around here. I'm an ex-barber, and I'd really enjoy a good shave."

He didn't say anything. He leaned me back. He lathered my face and put a hot towel on. I kept talking to him. "Don't get nervous. Hell, I'm just a man, just like anybody else. My whiskers cut off just like others. In fact, they're softer than most. You'll find that I shave easy." And by God, he never said a word. He shaved me, and he was nervous, but he never cut me. When he got all through, I looked in the glass. I said, "That's a pretty good shave. You're going to get better, too."

He says, "You're coming back?"

I says, "Yes. This is the best shave I've had in quite a while. And when you're not as nervous as you were today, you're going to be a good shave."

So, I went in three or four times after that, and he got so he wasn't very nervous, and he got talkative. I said, "Don, I'd like you to come in and have a talk with me

one of these days, whenever you can, whenever you feel like it."

He says, "What for?"

I says, "Oh, there's just a lot of things I'd like to know. One thing I'd like to know is why a good barber like you is in prison. You could make a good living out."

So, he says, "Well, I'll come in any time you say."

I says, "All right. I'll give you a jingle. So, the next day I called him in. I says, "Now I want you to give me your history. Don't hold anything back on me. I want to know what the hell caused you to go haywire."

"Well," he said, "what caused me to go haywire in here is all the stories about all the guards making my wife."

I says, "That's not true. You ought to know better than that."

"Well," he says, "I know that goes on in prisons. I talked to all these prisoners."

"Well," I said, "This a different prison. There's only four or five women, and my wife is taking care of them. I won't allow that. It just isn't allowed in here. You don't need to worry about your wife. If that's worrying you, just get that out of your head. But something caused you to rob a bank and kill your partner. I know it was accidental, but you did it anyway, and it's going to be with you for the rest of your life. Don't be embarrassed to talk to me. I've heard everything. I really want to know what caused you to go haywire."

Well, he says, "Warden, is this going to get any farther?"

I says, "No. It's not going to get any farther. It's just between you and I." Of course, I didn't know that I was going to tell anybody about it, but it doesn't matter.

"Well," he said, "I was raised by my mother and grandfather, and I never did know my father." He said, "I like my grandfather. He's always good to me." He said, "I went to school, and I learned the barber trade, and I got a job." He said, "One day I went home, and I heard my mother and grandfather arguing. Warden, I found out that my grandfather was my father. I found out that my grandfather had intercourse with my mother when she was fifteen, and I'm the result of it." He said, "I went crazy. I don't know what I did after that, because I just got into the wrong group. I just didn't want to live with myself. I didn't want to ever see my mother again. I didn't ever want to see my grandfather, who was my father. And I don't know what I'm going to do for the rest of my life," he says. "But I just couldn't stand . . . I just couldn't put up with that."

"Well," I said, "you got married to a nice girl."

He says, "Yes. And that's another thing that's been bothering me." He says, "I love her. I just . . . I can't live without her. And here I am in prison, and I don't know how long I'm going to be here. And then I've got to leave here." He says, "I know I've got to go to a federal prison. And she's going to go to a federal prison, if she's out. I don't know what's going to happen to us."

"Well," I said, "I'll tell you what. I don't know what's going to happen to you either, but I know if you settle down and decide that you're here . . . You've been convicted. You're incarcerated. You're going to be here until you're paroled, and when you're paroled, you're going to a federal prison. When you get to a federal prison, you're going to run into the same thing you are here. Your wife is going to be paroled to a federal prison, and she's going to run into the same thing. The two of you are not going to be together for many years, but you've got a long, long

ways to live. You're a young man." He was twenty-four then. She was about the same age. I said, "You're a good-looking young man." He was a very handsome man. You could say he's handsome as a movie actor. There's a lot of movie actors that are homelier than hell, but a movie actor is considered to be a handsome man. He was just absolutely perfect. He had nice, square jaws, nice hair, well-built. One might say he had good breeding. [laughter] Even if it did kill him. Then I said, "Your mother couldn't help what happened to her. It happened. And it just didn't happen to your mother." I said, "It's happened to hundreds of thousands, if not millions, of women through the years. And sometime they can't help it, and sometimes they could." I says, "It might surprise you to know that a lot of women tease their fathers. I've heard that from you guys, too. Most of the time it's the father that takes advantage of the girl. But in your case, your grandfather, who was your father, had something good in him, because he stayed with your mother, and he raised you. And, evidently, he did a good job till you found out your background. So, you've been here now a couple of years, and you're going to be paroled shortly. I'm going to see to that. And I'm going to see that your wife is paroled at the same time, because I've got a pretty good in to the parole board. And we'll get you both out of here at the same time. When you hit the federal prisons, you're not going to be in the same one. She's going to Alderson, Virginia, and I don't know where you're going. But they'll let you keep in touch, one way or the other. You may not get out at the same time, but whichever one of you get out first, wait for the other one, because you're a pair. You're crazy about her, and she is about you, too. I know that. She talks to Mrs. Bernard. So figure, you're going to do here not very much longer, about, let's say, less than a

year. You're going to a federal prison, and you've already served time here. They're going to take that into consideration, depending on your conduct. You might do two or three years and be lucky and get out. When you get out, they know your wife is in; they may work on her the same way. And you might get out the same time or"

Don said, "You know, I've never talked to anybody like you before." He said, "You make it sound like it could happen."

I said, "It could. It's all going to depend on you and Ann now."

Well, when he was released, the next time the parole board met, I gave them the circumstances, and I told the parole board about his background. I told him I'd never tell anybody, but I did. And they all felt as bad as I did. They said, "Let's get him out of here. Let's get him going, and get his wife out." So they let his wife go. They let the other one go, too, because they couldn't let one go without the other. He asked to see me, when he came in before he left, and he was actually crying. He damn near had me crying. I don't know what happened to him, but I hope they made it. Those are circumstances that make some wardens feel pretty good.

A WARDEN'S PHILOSOPHY

Y*OU REALLY ALLOWED the men to come and talk to you.*

Right. That's one of the first things that I told my officers, all of them, the captain, the lieutenant, everybody. Any time anybody came to talk to me, it was somebody that the guard sent, and the word pretty soon got to me, that nobody got to see the man unless they could get through Seven Post first.

So I called them in, and I said, "Anybody that wants to see me, anybody that comes in to say, 'I want to see the warden,' you make damn sure he sees the warden. And don't ask them what they want, because they want to talk to me. They don't want you to know what they're going to tell me. It might be something against you. I'll use my own judgement. But you see damn well that they get in here." I told the captain, I said, "You make damn sure that that happens. And I don't care who it is. If he

wants to see me, he comes in. All I want you to do is announce him first, and if it's somebody that I've seen several times, I'll know what he wants, and I don't want to talk to him anymore. But anybody that wants to see me, you send him in." And they always came. That word got out.

When you were a warden, were there prison psychologists at that time?

With me—I was the doctor; I was the psychiatrist; I was the father-confessor. I was the dean of men, as I always referred to that as Graystone U, and I was the dean of men. I did it all. I was the absolute brains of it. I even did the purchasing. I had a purchasing agent, and he had the authority to buy whatever we needed, but if there was any expenditure that wardens don't have any authority or whatever they don't, I wanted to know, because I wanted to know where every damn dollar that went out of that appropriation that I got, and I *never* ended a year without returning fifty thousand or so to the general fund, and that was quite a chunk, because I didn't get much. I wasn't getting millions of dollars. I was getting two or three hundred thousand dollars a year to run that prison. I always, always turned money back. And that's another thing, that even the senators on the institutions committee would say, "You goddamn fool, spend it! If you had it appropriated, spend it!"

"I don't want to spend it, if I don't have something to spend it for."

"Well, by God, you're different."

And I was. That's how I got in trouble originally with the governor who said, "We're going to get you. We'll chop

you down," is because I had an excess in my budget, and I tried to turn it back.

They wouldn't accept it. "Buy a new car. Buy stuff—typewriters. Buy something. Spend that money. Don't spoil it for everybody else."

You had a particular philosophy that you developed about working with the convicts. Did you have meetings with other state wardens?

Oh, yes. Twice a year, we had meetings. Once a year, we met with the American Wardens Association, and the next year we met with the Western Wardens Association. I was president, as quickly as I wanted to be, became president of the Western Wardens Association, and turned down the presidency of the American Wardens Association, because I didn't want to take the time. And then, I finally agreed to become vice president. While I was still vice president, is when I got paroled.

Were you learning from them? Or were they learning from you?

No. There wasn't a damn one of them that knew any more than I did. A lot of them thought I was half crazy.

They didn't agree with your philosophy?

Oh, no. When I told them that I chose a committee of three men, and I called them the three wise men, to come in and meet and complain to me, anything that they wanted to talk about, they could come in and see me:

“Well, you goddamn fool! That’s like organized labor, the union telling you what to do. They come in and tell you what to do.”

“No, they never told me what to do. They told me what was going on and what they’d like to see done and what was going on and what could be improved. They told me a lot of things that I approved of, and I did it. It was beneficial, not only to the convicts, but to the institution.”

“Oh, hell.”

You were kind of out there by yourself with some of these new methods that you were trying?

Yes, but I’d been in charge of men all my life. I started young. Dr. Petty, my old hunting buddy and the doctor at the prison, called me the poor man’s psychiatrist and the canine psychologist.

Now, for canines, that’s because of your love of dogs?

Yes. My love of dogs. I’ve had a lot of them thrown at me, that other hunters just couldn’t handle. And I take that dog, and I take him hunting two or three times, and he’s talking to me, doing everything I want him to do, like he read a book. And this guy wants me to do this and this, and in a certain way, and they’d do it. My hunting partner never did get over it. They’d have a dog that they couldn’t control, and I’d say, “I’ve got to take him. He’s got to go with me and live with me.” And it wouldn’t be a week till that dog was working good. Give them back to their owner—same thing happened.

So, did you come to some of your philosophies just by studying people?

Well, it just . . . I don't know how to explain that. I guess, just by living with people, because I started young. I ran away from home when I was eleven years old. I've been among men ever since. Boy, you can't be around every type of man that I was, without learning something. I can meet a man and know damn near right now whether he's good or bad, whether he's trustworthy, honest. I make very few mistakes, or have made very few mistakes. I'm not going to have much chance any more. But when I was appointed deputy mine inspector, the deputy mine inspector and the mine inspector were two men that all the mine owners hated to see come around. They knew it was going to be trouble. When I first started going around, I could smell that. By the time I'd been in six months, I'd get calls from various mine owners in the middle of the night, "Hey, when are you coming around here again?"

"Oh, I don't know. Hell, I was there just two weeks ago."

"Well, we got a problem. You might be able to help us out with it."

"Well, if it's that serious, I'll make arrangements to come up." I never passed up a chance to go somewhere on call, because everywhere I went, I passed a duck slough or a fishing creek, and I always had a dog and a gun in the car, and we could always stop and catch a fish or shoot a duck or something. But there was no mine operator in this state that didn't trust me and like me. Oh, they called me on things, and I'd say, "God, any jackass could figure that out. Why run me up there?"

"Well, we just wanted to get your opinion."

So, building trust seemed to be a really important part of what you did, both in mine inspecting and being a warden?

I never lied to anybody. The convicts at the prison used to say, "If the warden tells you a piss ant can pull a plow, hook it up and start plowing." If I told them they were going to hit the hole if they did a certain thing, they hit the hole. And if I told them I'd do something good for them, if they did the same thing, I did it. My officers got to the point where they knew that they were treading very carefully. They must not operate like they had before. Things had changed. And no problem at all.

So, you didn't have to change your security guards. They changed to follow your policies?

That's right. Well, they had to. I had the payroll. Like the convicts. They'd say, "They'll go over the wall."

"They can't go over the wall—I got the guns. And I got the keys. I'm in full control. I've got everything." So, how are you going to argue with somebody who's got the gun and the keys? How are you going to argue with somebody that signs the paychecks?

BOXING PROGRAM

ART, ONE OF MY questions is about your boxing career. It seems to me like that must have been an important thing for you as a prison warden.

Well, it was, in a way, because practically every prison has a boxing or sports program, and boxing is very important. Some of the most famous fighters of our time have come out of prison. They learned their fighting in prison. One of them became one of the toughest heavyweight champ . . . in my opinion, the hardest punching heavyweight champion of all time. Sonny Liston. He fought Mohammed Ali. In fact, he gave the title to Mohammed Ali.

So, when I went in, I started a boxing program. Before I started this program, one of my first travels through the prison yard, to see what was going on and how the inmates reacted, I saw a face that was very familiar, and the man looked at me steadily and kind of smiled. I

thought, "Gee, I've seen that man before, but it can't be. He wouldn't be here, and he wouldn't be that young."

So, a day or two later, I came face to face with him again, and he smiled, and he said, "How's Kid Bernard?"

Well, that was the name I fought under, and I said, "I can't place you, but I think I knew your father."

He says, "No. You knew me."

I says, "You can't be Bull Powers."

He says, "I'm Bull Powers."

I said, "You'd be as old as I am, and you don't look over twenty or twenty-one, as you did when I knew you."

He says, "Oh, I'm your age, and this is how I look. I can't help it."

So, a few days later, I called him into my office, and, "Bull," I said, "I was glad to see you, but not pleased. I just don't like to see anyone that I knew in a place like this, because I know you've broken the law to get in here. What caused you to fall by the wayside?"

He said, "Well," he said, "when the war broke out, I joined the army, and we were sent overseas. I was in many of the battles." He named them, and he said, "We were stationed in England and went back to England for R&R at various times." He says, "I was just like everybody else. I could get anything anybody else got—white women—anything. I was treated just like everyone else was treated. When the war was over, I came back to the United States, and I was the 'N' word again." He said, "I couldn't get a job. I couldn't make a living." He says, "And I couldn't box anymore, so," he said, "I started burglarizing. And that's got me here."

So, I knew Bull from back in the olden days, and he was not only a good fighter; he was a good man. So, as long as Bull was there, and I needed a chauffeur, I used to let him drive the car, and he was tickled to death. And

then, I started a boxing program. We made the license plates for the state cars there at the prison. It was a two-story building. The license-plate factory was on the bottom, and the upper story was just a big, huge room. Eventually, I started having movies up there, and I rigged up a good training room for boxing with punching bags, and built a ring and everything.

I did the best I could with teaching my boys what I could from what I knew. I developed some pretty good fighters, in fact. Another of my old friends was Archie Moore, and whenever Archie came up around the Reno area—and he did quite often; he fought two or three times around here and came up for other reasons—he'd come over to the prison and go through my program with me. In fact, at one time I had three good prospects. One was a light heavyweight. One was a welterweight. And one was a lightweight. I forget their names now, but Archie took all three of them, sponsored them, took them out. We had them paroled to Archie, and the three of them went sour. The light heavyweight never got to San Diego to Archie's training camp. He stopped in Las Vegas, and I can't remember whether they shot him or cut his throat, but he died. And the other two, Archie got two or three fights for them, and they were doing pretty good, and all at once they disappeared. Some of them just can't behave.

Let me ask you a question. Did you ever get Bull Powers to help with the fighting program?

No. He was released before we got started well. Bull had been in for some time before I got there, and the board released him before my boxing program got started.

We had another boxer there, we'll call Punchy Norton. Norton was from one of our neighboring states, and at

one time he nearly became a contender. He got in a few scrapes and had fouled up his boxing career. Punchy was a student when I took over. He didn't come in after I did. He came in on some robbery or something from Sparks, along with two or three other guys. Eventually, we sent Norton out to the ranch, and he got tangled up with a bull in his chute, and it broke his hip, or did something to his hip. He walked with a limp from then on, but he was still good enough that he could whip most of the boys. He had enough experience that they didn't manage to hit him very much. Punchy helped me out with the boxing program, and we had, as I've mentioned before, a driver that drove from the ranch to the prison and took supplies out there, brought the milk and everything back from the prison. And we discussed the narcotics program, didn't we? And the fact that I stopped narcotics cold?

Right. Yes.

Just nothing ever came into the prison. In fact, an FBI agent came in from Denver, Colorado, to talk to one of our inmates who had a serious narcotics problem and had it when he come in. He was supposed to have died if he didn't get narcotics, too, but he was, at this point now, very healthy. This FBI agent wanted to talk to him about some cases that he might be able to help him on. After he talked to this inmate, he came into my office with a grin, and he says, "I just got to tell you this." He says, "There's no narcotics getting into your prison."

Well, I said, "I know that."

He says, "But everybody else doesn't." He said, "I talked to," and he named the fellow. "And I asked him where he was getting his narcotics, and he said, 'Nothing

comes in here. That dirty so-and-so,' expletive deleted, 'has got this place so tight, you just can't get anything in.'"

I was very proud of that. So, we never had any narcotics problem. We had problems that started like all others. I had visitors that tried to bring stuff in, guards that did, but we always caught them in time. But every week Punchy used to come in from the prison driving the truck on a Friday. On Saturdays, we'd get six or seven inmates high on drugs—marijuana. We wracked our brain, "How in the hell is that getting in? Who could be bringing marijuana into this prison?" And after the first day or two of these guys being high, they were back to normal. The following week, we'd have a repetition. They'd get high on marijuana. Who's bringing it in, and how are they bringing it in? And finally, we caught him.

Punchy was bringing it in, and it was a weed called Indian tobacco when I was a kid. There's kind of a red seed, and we called it Indian tobacco, and we kids tried to smoke it. It didn't smoke very good. But it was growing wild out at the ranch, and when the seeds got ripe, you could crush them. And Punchy was getting this Indian tobacco and crushing it, and then he'd bring it in, in his Levis. He'd rolled his Levis up on the bottom and cram them full of this Indian tobacco, and come in. He's peddling to the inmates, and they'd smoke it and get high. That shows you how much influence the marijuana, or whatever you're smoking, really is. If you think you're getting high, you're getting high. One's as good as another.

Because the Indian tobacco really didn't get people high?

No. It was just another weed, an innocent, harmless weed. But Punchy made it pay until we stopped him.

But he also helped you with your boxing program then, a little bit?

Yes, he did. Punchy was a pretty good boxer. A very good defensive fighter.

You mentioned another young man's name, Young Firpo. I wanted to hear about him.

We've got Firpo on tape on the Redfield robbery. I'd lost all track of Young Firpo. I didn't know he was in Reno.

Where did you first know him?

I first knew him in San Francisco when I was boxing. That's where I knew Bull Powers, too. Anyway, Firpo carried the safe out of the basement for the crooks. He was no more crooked than I was. He was just an absolutely naive, friendly fellow. And, of course, when he came in, and he heard who the warden was, he figured he'd come home. Of course, he knew that I'd know he was there, and we got together. Firpo, who was one of my great supporters, was a character.

FALSIFIED EVIDENCE

AT THE TIME I had an inmate that was serving life on a murder charge from Clark County. The man shouldn't have been serving on a murder charge. He should have had a citation for eliminating the man he did, which was strictly in self-defense. Anyway, he was arrested on a murder charge, and the way it happened, he was working for Benny Binion. Benny Binion had at that time operated the Las Vegas Club. It was one of the top gambling casinos in Las Vegas. Benny was famous from his days in Texas, when he was in charge of the state gambling there, which was illegal. Later, I got very well acquainted with Benny Binion, and found him to be a man of his word. If he told you he was going to shoot you, you better watch, and if he said he wasn't, you knew he wasn't going to. He was a man of his word, absolutely. If he told you something, you could go to the bank on it.

Binion owned a big ranch in Montana, and this fellow, Helms, had worked for him on the ranch. Helms

was an ex-rodeo-performer, and an ex-world-champion, and one of the best men I've ever known around horses. I've never known anyone that could do with a horse what he could. Helms was working in the Las Vegas Club for Binion as a security officer, and Clark County deputized the security officers, so they were legally deputy sheriffs. They wore a badge, and they had the authority to arrest anybody.

Previous to Binion's days in Las Vegas, he was in partnership with another man in gambling back in an Eastern state, New Jersey or somewhere. He had a man working for him that he was very fond of, and the man had been in prison on a rape charge. He did his time, got paroled, and came out. Then he killed somebody, so he was sent to prison on a murder charge. When he came out, he came to his old boss for help, and his old boss couldn't help him, but he said, "I have a friend in Texas who might be able to help you."

So, he called on Benny, and for old-time's sake, Benny said, "All right. I'll give him a job." In the meantime, Benny had moved to Las Vegas and had the Las Vegas Club. So, he gave this fellow a job as a shill, and money started going south. They started missing amounts. They didn't know who was taking it or how it was getting exploited.

A shill does what in a casino?

A shill is someone who takes the casino's money and gambles, like a decoy duck. Someone sees him gambling, and they figure, "Let's get into the game." Sometimes they'll have two or three shills at the same table, to make it appear that there's a game going on, and this attracts

someone else, who wouldn't want to gamble alone, but will gamble if he sees somebody else do it.

So, Benny told Helms, he says, "See if you can't find out where the hell this is going." Helms is pretty sharp. He had a good head. And he did. Helms found out that this fellow was stealing the money, so Benny All they do—those gamblers—they don't make any fuss or anything. They just get rid of them. Sometimes they get rid of them permanently, but other times they just fire them, get rid of them. So, they called the man in and told them how disappointed they were. Binion says, "I don't want you around anymore, but I'm going to buy you a ticket back to New Jersey," or wherever it was. "You get the hell out of town. Stay out of my joint."

So, he took the money for this ticket and got good and drunk around town that night, and he was picked up and taken to jail. The sheriff was a good friend of mine, and most of his help were people that I'd grown up with around Lincoln County and the mining camps and the farming units around there. There was one family of Stewarts, and the entire family got into politics in Las Vegas. One of the boys was a big, handsome man. We called him "Soup," because he always liked to eat. He was an under sheriff. When I was investigating Helms, I read the transcript from the district attorney on the court proceedings. And when I got reading that, I just couldn't understand how they ever arrested Helms. Anyway, this man was arrested, taken to jail, and it was drunk and disorderly. The sheriff's office knew that he'd been fired from the Las Vegas Club and had been given money to buy a ticket back East. They said, "When we turn you loose, you get on the train and get going."

He says, "Before I go, I want to kill Cliff Helms."

Soup said, "I personally told him, I said, 'You forget Cliff Helms. Get on that train and get out of here. You're in enough trouble as it is, without trying to kill somebody.'"

So, he promised then that he would; he'd get on the train and go, and they just turned him loose. Instead of going up and buying a ticket, which he couldn't buy anyway—he'd spent his money—he went back to the Las Vegas Club, and Helms was on the floor. He said, "Cliff, I want to talk to you."

He says, "All right. Go ahead and talk."

They'd already had quite an argument. He called Cliff a stool pigeon and everything else for reporting him.

He says, "Let's go back in the boiler room. This is private. I don't want anybody to hear."

Helms says, "Well, we don't have to go to the boiler room." He said, "Just don't speak so loud."

"No," he said, "let's go back to the boiler room."

So, the boiler room was connected with the casino, and they went back to this boiler room, and the man pulled a knife and attacked Cliff. Cliff had a tie. These security men at that time all wore fancy silk ties. He slashed at Cliff's chest and sliced his necktie. It was hanging on one side. Cliff pulled his gun. He had a .38 special, and he had eight rounds in it. He pumped eight rounds into the man's chest, and the man turned around, staggered, and Helms fired the last shot. The bullet grazed his neck. It wouldn't have been noticeable, but it was fired from the back, which was an important point during his trial.

The minute the shots sounded, people came in from the casino, because the boiler room was connected there. Helms was there with a smoking gun in his hand. One of their people that came in happened to be a deputy sher-

iff, and we had his testimony. It was seconds after the shooting started until they were there, and Helms admitted that he shot him, and he shot him, because he tried to attack him with a knife to kill him, and he'd cut his necktie. So, they arrested Helms and took him to the station right there and took his gun. Oh, and he had a pocket knife in his pocket. All cow men and riders in those days carried a knife. All of them carried a knife, and they kept that knife sharp enough to shave with. They did everything with that knife. I do that myself yet.

So, they took his gun, and they took the tie, and everything he had, in fact. This was evidence. During the trial an FBI man was a witness, and it developed that they had sent this Helms's knife . . . the prosecution contended that Cliff had shot the man dead, and to make it appear that it was self defense, he cut his own tie with his own knife. Hell, they took the knife out of his pocket in clear view of everybody around there. So, it was impossible for him to have cut that tie, but this FBI agent testified, and truthfully, that they had found pieces of that tie embedded in where the knife closes. That's another stupid thing. How would a thread get in there, if you were just cutting the tie? It just didn't make sense, not to me, and I'm familiar with knives and what you can do with them.

So that and other things made me just curious. I just couldn't figure why they . . . how they had convicted Cliff Helms. I read the name of the jurymen, and I knew half of them. In those days I knew practically everybody. There was only a hundred thousand people in the state, and in my political travels and everything, I knew practically everybody. So I went down, and I found one of these jurymen, who was a very good friend of mine, and I said,

“How in hell did you convict Helms on that murder charge?”

“Well,” he says, “I don’t know how everybody else felt.” He says, “That little SOB came to court every morning in a brand new suit, Western suit.” Cliff Helms just liked the best clothes and had plenty of money, and he bought them. He says, “A brand new Western suit, fancy cowboy boots. And he looked at us as if we were dirt, like we were dirt under his feet.” He says, “I didn’t like it.”

Well, I said, “You didn’t convict him on that.”

“No,” he said, “but we convicted him on the knife, and the fact that he used his own knife to cut his tie, and then tried to make it self defense. That’s what clinched it.”

Well, they had that piece of evidence from the FBI. You couldn’t refute it. And if he did do that, which it was impossible for him to do, it was no longer self defense. And it worried me.

A few months later they instituted the board of pardon and parole. They never had a board of parole. The board of pardon and parole they called it then, but it was actually just a parole board. The question was, who do we get to head this board of parole? Again, I knew practically everybody around. And various names came up, and I said, “Well, I think Ted Cupid would probably be the best man we could get. He’s had a lot of law enforcement experience, and Ted is honest. He’d make a good man.”

So, they went along with it, and they hired Ted Cupid. So Ted Cupid is my parole officer. He knew how he got the job. He liked me anyway, and we got along fine. Whenever he had anybody to supervise, he always wanted my experience in regard to what he should do with him. When

I'd talk about Helms, inevitably I'd say, "There's something fishy about that. Cliff Helms didn't cut that tie himself."

Every time I mentioned that, he'd get a funny look on his face, and he'd get off the subject. And the next time I'd bring it up again, because Helms was a prominent inmate down there—he practically had his run of the outside. I had him in charge of the stables. He broke my horses. He used to take my kids riding, took my wife and her friends riding. I just have to say, he was a special character, and the other inmates held it against him, because he was in so good with the warden, but I couldn't help it. I knew that he'd been railroaded. And he was honest. I would have sent him to Texas with my family and a checkbook and signed a bunch of checks, and when he came back they'd have been absolutely correct to the last nickel, and I know that nothing would have happened to my kids and my wife. He was just that good a man.

I began to think about the way Ted acted, when I got on that Helms, that he knew something I didn't know, and I should know it. One day I told him cold turkey, I says, "Every time I bring up Helms, you get off the subject. Ted, you know something that I should know."

He says, "I spent many a sleepless night wondering if I should tell you, because I know if I tell you, it's going to raise hell."

"Well," I said, "I think you should tell me, because Cliff is innocent."

"Yes," he says, "I know he is." He says, "I'm going to tell you, but I don't know what's going to happen. I've got a brother-in-law that was on the police force in Las Vegas at the time, and I don't know how much trouble he's going to get into."

I says, "Tell me the story, and we'll determine. But the man's in prison—unjustly convicted, framed, railroaded, doing life." I said, "This is not something we can play with."

So, he told me about his brother-in-law, who was on the police force, and he said the assistant prosecutor, who prosecuted the case, wanted a place to hold a meeting for two or three people. And it's very secretive. Nothing was ever supposed to get out about it. They had a lot of discussions." He said, "So my brother-in-law agreed to furnish the house." He says, "And what they did there, they took Cliff's knife, and the tie from the court house, where it was supposed to be under lock and key. They stripped some threads out of the tie, and they put it in the knife, and they sent that to the FBI. And that's how that information got in his trial."

And who headed that meeting?

It was a prosecutor. I said, "Well, I'm going to go from there."

So, I went down, and I talked to this brother-in-law. He said, "I haven't had a good night's sleep since that happened." He says, "It was my job, and I was asked to furnish the Niemann place, and I did it." He says, "I just haven't had a good night's sleep since." He says, "I don't know. I'll do anything to get this out of my head."

I said, "Would you go to court?"

He says, "Couldn't we do it without me going to court?"

I says, "All right. In your own handwriting, you write me a report of what you did, and sign it, and give it to me."

So, he did. And the board of pardons at the time was composed of three people only: the governor, the attorney general, and the chief justice of the supreme court. And the chief justice of the supreme court was named Badt, and he was one of the finest men I've ever known. He had one problem. He just could not believe that an attorney could do anything wrong. When they took an oath to uphold the law and order, they did it. If they didn't, there was something caused them not to do it. But he just couldn't believe that an attorney was not the epitome of everything that was honest and good.

So, when I got this and came back, I had to go to the board of pardons, and the chief justice of the supreme court was the most important one of the three. I gave him this, and I told him what had happened, and, of course, we had the name of the prosecutor. It just about killed old Badt. He said, "I just don't believe it."

I says, "Well, you got it there."

He says, "I know. I know it happened, but I just can't believe it. I hate to see every attorney in this state have to suffer for one bad apple."

Well, I said, "We got a man in prison there, doing life, and he's innocent. He was railroaded! Are you going to let one bad apple . . . ?"

He said, "Art, give me that paper. Let me think it over, and I'll see that justice is served one way or another."

I said, "All right. I trust you."

Nothing happened for quite a while, and I asked the judge two or three times. He says, "I'm still thinking. I haven't forgotten."

In the meantime, Captain came into my office one day, about noon, and he said, "Warden, there's something wrong with Cliff Helms."

I says, "What's wrong with him?"

He says, "I don't know. He's sitting out in the chair." I had somebody helping him out in the stable, cleaning the stables and whatnot, and he brought Helms in.

I went out. Helms was sitting there. I said, "What's the matter, Cliff?"

"I don't know." He said, "I was riding Jack, and that's all I remember."

Jack was a registered quarter horse that George Wingfield had given to my son as a gift—beautiful roan stallion. He was fast, and Cliff thought that he could win a lot of quarter horse races, and he was training him. He was down in the corral training him. I talked to the man that brought him in, "What happened to Cliff?"

He says, "I don't know. He was riding Jack around the figure eight, and all at once he fell off, just laid on the ground. And I went over, and he couldn't talk, so I picked him up and brought him in."

Anyway, I picked Cliff up in my arms, and I took him out and put him in my car and drove to the hospital. I said, "I want the best medical attention you can get."

They didn't have any surgeons in Carson at the time, but Fred Anderson was in Reno, and Fred was a very good friend of not only mine, but our doctor Petty, who was the prison doctor. I'd called Petty in the meantime, and he says, "Well, let's get Fred Anderson over here." Fred Anderson at that time was the most famous surgeon in the state. Las Vegas was still a little country town. Fred came over, and Cliff had a subdural hematoma. These can be caused by falls, or they can just be inherited. And that's what had happened to Cliff. His father had died, and one brother had died of the same thing. Cliff was around forty-eight at the time, and Anderson operated on him, but it didn't do any good. He died.

So, Badt didn't have to do anything with the report that I'd given him. But that's what could go on. That's what I was getting. And not only that, but Emma Jo and various many . . . like Ensinspranger from Las Vegas.

Anyway, I've got Cliff in prison, and he's always got that knife that you can shave with. I was having trouble with my homosexuals—queers, as we called them. We didn't call them gay. They're not gay. I was a gay one. I was young. I was considered gay.

Different terminology now.

Yes. And so, I'd made up my mind that I was going to stop this homosexuality. And they said, "Warden, you can't do it."

I said, "I'm going to give it a forty-dollar try." I knew who the bad ones were. I didn't care if grown men had intercourse with each other. That didn't But when a young kid came in, those wolves would attack him and rape him. And that I couldn't go along with. So, I made damn sure that when a young kid came in, those guys didn't get around him. And if there was any semblance that they would even look at a kid that just came in, I told them, "Don't do it, because I'm going to put you in cell detention. I just won't go for this."

A lot of those homos were good workers, and one of them, I kind of liked. We were on friendly terms. I had one of them tell me, "Warden, if you ever have sex with a man, you'll never look at another woman." And he was serious about it.

Anyway, I was putting these guys in cell detention, and once I got a young fellow in there, and he'd come out of a reform school, and he was as bad as a lot of those old guys. But that didn't make any difference. I wasn't going

to let them get to him, either, not under my jurisdiction. The word got around, that the warden was really pissed off about this. So, one day, the captain came in, and he had a smile on his face. He says, "A couple of your favorite students want to talk to you."

"Well," I said, "Send them in."

And here came Helms and Firpo. Firpo says, "Chief," he says, "me and Cliff can take care of your problems."

"What problem do I have that you can . . . ?"

"Them queers! Them queers! If you tell us, I'll hold them, and Cliff will cut them."

I said, "Firpo, that sounds good, and I'd even like to let you do it, but it's against the rules. We're just going to have to let those guys keep their organs."

But they were serious, "If we just had the permission, we'd take care of those guys." And Firpo was sort of disappointed that he didn't get permission, because he figured that would really take care of those queers.

You've named several instances of people being framed or setup and going to prison. Generally, nowadays the public doesn't think that that could happen. Do you think it's changed over time?

Well, it's still happening, but maybe not as much as it used to. Because people are getting more rights. Criminals are getting more rights, and they're getting too many rights in my opinion. They're being allowed to visit privately. They're being allowed to use telephones indiscriminately, and at state cost. I never would allow that, never. You just as well not have a man in prison if he's going to get on a telephone and have private conversations with every crook out there and plan on how to have somebody meet him at a certain place. Stupid, stu-

pid. And have visitors come in that are not checked and get to go in a room for sex. It's been proven all over. Even here, some woman brought a gun in for her husband after I left. She had one of these Afros or whatever in hell. She had the gun hidden in that. They can bring dope in, everything. They've got too damn many rights. I believe that they should be treated fairly and honestly, but I don't believe that they should be helped to carry on from prison what sent them to prison in the first place. And now, convicts can sue the state, so a lot of those nefarious ways that they used to railroad people to prison are no longer

Can't happen anymore with the new system?

It is happening every day, but not nearly as much. When you hear that they had a big bust of policemen in New York, and what they did was terrible—as bad as things I've told you—you think, “Gee, how can that happen? And how can they get away with that?” A couple months later you hear the same thing happened in Chicago. The next month it's in Philadelphia. It's still going on, but it's exploding now, where in the olden days it wasn't. Once the bar was closed, you'd had it, and what went on behind those prison bars, many times, it just wasn't prison.

Then, I've had interesting ones. I had a nice guy sent up from Las Vegas, and he was accused of sexually raping two women, two young women—one was a doctor's wife, and one was a lawyer's wife. He had sexually raped them ten times each in the back of a hotel out on the Strip. There weren't as many hotels then. But he never came to trial. They never had a trial, but the women had told the officers that he made one of them stand guard

out in front of the hotel, while he raped the other one. Then she'd go stand guard while he raped the other one. Then she'd stand guard, and they were each raped ten times, if you can imagine that. By God, I can't. I was a pretty athletic young man when I was young, and there's no way I could rape a women ten times and then try another one ten times. But they wouldn't take him to court. These were very prominent women, and they were not going to have to testify in court, which they would if they'd had a trial. And they didn't want to. What I think, is that they concocted this excuse to lie to their husbands about why they hadn't been home all night. They had caught this guy up there. There was a club in Las Vegas owned by some band leader, and I forget the name of it, and I can see it so plain. Something to do with four-leaf clovers. And the name had the band leader's name. Anyway, they were at this place. All the big hotels weren't on the Strip yet at that time. This was up in town. The man told me that he was drunk, no question about it. He lived in a place near Temecula, California. There's a lake there, and I forget the name of the place. He was a truck driver, and he had heard there was an opening for a driving job in Las Vegas, and he'd come up to apply for it. He had a white Pontiac roadster. He was gambling, and he said these two women approached him. He was drunk, but not drunk enough not to realize that they were attractive, young women. They struck up a conversation with him. After a while they wanted to know if he had a car, and he said he had a car.

They said, "Let's go for a ride."

He said, "I remember getting in my car, and after that I can't remember anything." He says, "I woke up the next morning. I was sick, had a hangover." He didn't get the job. He got in his car, and he got down around Barstow,

when he was stopped by the highway patrol, and there was an APB out in Las Vegas. They wanted him on a rape charge, so they brought him back and threw him in jail, and they wanted him to admit that he'd raped these two women.

He says, "Hell, I don't even know who they are. All I remember, they talked me into taking them in my car, and I don't know where we went."

But they had the story of the women. They went down to one of the places that was on the Strip—there were a few of them down there then—and concocted this terrible story.

Well, he wanted to go to trial, but they wouldn't try him. They kept putting it off. They wanted him to confess. If he'd confess, they'd make it a trivial charge like . . . I forget what they sentenced him on. They'd send word to the parole board that they should release him right away. Now, he didn't want to do that. He says, "God, I'm not guilty of raping one woman, let alone two, and ten times each. I'm just not that good."

They wouldn't take him to trial, and they had him there in jail for nine months, never would take him to trial, never would get him an attorney. And they didn't have at that time the public defender. All they had was, the judge would appoint somebody to defend him, and the judge was always in cahoots with the prosecution. So, he hadn't been appointed an attorney. He was just being kept in jail, and the only way he was going to get out was to confess to something, because they should know damn well they didn't have anything they could convict him on.

So, he finally confessed to some kind of a trivial assault, and they sent him up. And there again, I looked at his transcript, and this just didn't make sense. It just

didn't make sense. The man doesn't live that can rape two women ten times each, and one of them stand out and stand guard while he does it to the other one. It's just silly. Once she got out there, she could go scream rape to anybody and get a policeman down there. It just didn't make sense.

But anyway, there was no way I could help him out, except to see that he had a good trustee job and to get him out as quick as I could. He lost his car; this nice, white Pontiac was repossessed. He was engaged to be married when this happened, and, of course, she didn't want a rape-o in the family, so she broke the engagement. And he didn't have a dime when he got out of prison, except the twenty-five dollars that the state gave him. His clothes were not very good, so I went over in my wardrobe. He was a little shorter than I. Otherwise, everything fit. I fixed him up with a suit of clothes, and I thought that's the end of this.

He went to Hemet, California. He went back there and eventually got a job, eventually got another girl, and eventually got married. He wrote me the first few letters, and then she took over. She wrote me a letter every Christmas to tell me how well they were getting along till, I can't remember—probably wrote the last one after I'd left the prison. Every year at Christmas she wrote a letter and thanked me for being so good to Joe Blow, or whatever his name was, and what I'd done for him.

So, you did see a number of cases where the person in prison was framed, then, because you've told me four or five of them here.

Lots of them. Lots of them. I never found one from Reno. Mostly from Clark County. Clark County was start-

ing to attract different types of people then, but it wasn't the different type of people they were attracting. The people who were not honest were the officials.

DRUNK AND DISORDERLY

Y*OU MENTIONED that you had some Native Americans, some Indians?*

I had quite a few Indians. They all came in—very, very few of them on serious charges. There was usually drunk and disorderly. They practically lived on the ranch. We sent them to the ranch first. They were not escape risks, and if they did, all they did was go home, and all you had to do was go get them and bring them back. They were good workers, but you just couldn't get anything out of them. They didn't know anything. They didn't know anything. "I don't know."

If you asked them questions or asked them what was going on?

"I don't know." They were all pretty good workers, and they'd come, and they'd do their seven, eight, nine

months, and go home, and then they'd come back. Sometimes, I think they were glad to come back. They got all they could eat, and all they had to do was work, anyway. They had to do that when they were out, and at that time there was no minimum wage, and when they went out to work for a farmer, they got just about what they got in prison—board and room. So, with the exception that they couldn't go out and run around and dance and raise hell, they were better off in prison than they were at home.

The farmers didn't have to pay them an equitable wage?

No. No, they didn't. They'd just pay them whatever the guy agreed to work for. And sometimes he might agree to work for it and then never get it.

You had mostly white men in jail?

The majority were white. We had quite a few blacks. I think our black population would hold with the percentage of population between blacks and whites. I think it run, at that time, around twenty percent. I think that's about what we had.



A guard came into my office and said, "Look what I found." He told me where he got it, and it was hidden in a cell.

And you're holding a book that's labeled "Records" on the front.

Yes. And it's a diary of one of the inmates. He started it when he came to the prison.

I can see the dates—1951, 1952.

Well, let's see here. He's got a little of his own history here first. April of 1952, he arrived in the prison.

I see some dates back in the 1940s. He went back and put his recollections in here. It's also very neat handwriting, I noticed. And so, what was the importance of finding this diary?

Well, we don't allow anybody to have anything, anything that's illegal, and a diary is certainly illegal.

Why is that?

Well, because we don't know what he's going to do with this diary. He could write things pertaining to their manipulation of the prison, the operation of the prison, and smuggle it out.

They'd just had this shakedown, and night sergeant brought this in. He wanted to know how I wanted to punish this guy for violating the rules, and I went through it, and I said, "Can you get that thing back without him knowing that you've taken it?"

"Oh," he says, "I guess I could."

I says, "Put it back where it was, and don't you bother him. Let him keep that as long as he wants." I read what he had up to then, which was quite a bit, and he wasn't very kind to the guards, but he wasn't vicious about anything. He wasn't too impressed with the warden, either.

Then I said, "You just let him have that."

"How long you going to let him have it?"

"Well, we'll see what he does with it as time goes on."

So, he took it back, but I knew who the man was then, and I looked up his rap sheet. He was sent in from Winnemucca, and he was drunk and disorderly. In the meantime, I looked at his rap sheet from the FBI. There was just page after page: drunk and disorderly, overnight in jail, and released the next morning. Never committed a crime or anything, just drunk and disorderly. In Winnemucca a night watchman was walking down the street and looked in the Eagle Drugstore which was well lit up, and the liquor counter was in full view, and there was a man lying down in front of the liquor counter, evidently asleep. So he tried to get in the door. The door was locked. Ran around the building, tried all the doors. All the doors were locked, so he called the owner and said, "There's a guy sleeping in your drugstore, and I can't get in. The doors are all locked." So, the man came up, and he went in, and here was this fellow sleeping—drunk. Along side of him was a half gallon wine jug that had been up on the shelf, and he'd drunk the half a gallon of wine. He was passed out. And how he'd got in was he'd come down through the skylight.

Anyway, he came to prison, and that's what I had here. So, I told you that I'd had three wise men appointed, and he finally got on that committee. He was quite an interesting committeeman, and he had quite a bit of horse sense. He used good judgement. He realized that he didn't like what was going on in prison. He didn't like what these guys were doing. He describes it, and it's not nice. He just couldn't imagine that anybody would act like these fellows did, but they did. We got along fine. In fact, we got to the point where he was quite helpful at various times. He knew that some of those prisoners may not have liked me. They all trusted me. If I told them something, my word was good.

Time went on, and he served out his one to two years for a burglary, and he was paroled. All he had was the clothes he came in: an old, dirty pair of pants and a Hawaiian sports shirt. We cleaned whatever clothes they came in with. We laundered them and ironed them and whatever, but that's all they had at that time. Then they were given twenty-five dollars. So, he asked if he could see me, and came in, and he had this. He said, "Warden, I've got something, and I'd like you to have it."

I said, "What have you got?"

"Well," he says, "It's a diary that I've kept all the time I've been in here." He says, "You may not like some of it, but you're a pretty broad-minded guy, and I don't know what to do with this, so I thought I'd just give it to you, and you could do what you wanted with it."

"Well," I said, "Joe, that's something maybe you ought to take with you, so you . . ."

"No." He said, "I'm going to forget everything that's in that diary."

I looked at his clothes. He didn't look very good. I says, "Joe, would you be embarrassed if I gave you some better looking clothes than those to wear out?"

We had given him his twenty-five dollars. He had bought a ticket out of his twenty-five dollars to Salt Lake City, and then he was going to take it from there. "No," he said, "I'm just going to take a bus, and this is what I came in on. That's all right."

"Naw." I says, "Aw, let me get you something." So I got him a better pair of pants and a shirt.

He said, "I'm not proud of the fact that I came to prison, although it wasn't all that bad." He says, "But there's one thing that I'm never going to have to live down." He says, "I had never stolen a penny in my life." He said, "I know I'll be branded an ex-convict, but I hate

to be called an ex-thief. I've just never stolen anything in my life."

"Well," I said, "I know what you came in, Joe. I read the transcript of your trial. What you did was took a half a gallon of wine. It was white wine." I said, "You drank it. You drank it right on the premises. So, I don't think you took anything away. I'll tell you what you do. You're going to Salt Lake City, and you're going to go through Winnemucca. You stop in Winnemucca and go up to the Eagle Drugstore. You tell them who you are, and they'll remember you, or somebody will remember you, because it hasn't been that long—probably the same man still owns it—and tell him that you bought a half a gallon of wine on credit, and they charged it, and that you've come back to pay it. You pay him for that wine, and you're absolutely free of debt. You are not an ex-thief. You never stole anything."

He just looked at me, and he started to smile. He says, "By God, I'll do that."

I says, "And make them give you a receipt."

He says, "I'll do that."

I thought no more of it. Joe left. Couple of days later, I got a letter in the mail with the receipt from the drugstore. And here it is. Here's the letter he wrote me. He says, "Warden A. Bernard: Sir, I am not much for words . . . Having had a few beers, but sir, I wish to say that I did stop in at the Eagle Drugstore and pay for the half gallon of wine I stole from them nineteen months ago. I feel clean. I feel square. I will always look upon you as a good guy." And he signed it, and enclosed the bill of sale. [laughter] "Paid cash for wine taken in 1952. One dollar and seventy-three cents." For that he served pretty near two years in prison.

He probably was lucky that he came to prison with me, instead of somewhere else where he wouldn't have had the opportunity and the trust that he had at the Nevada State Prison.

YOU MENTIONED *Fitch Shampoo and the Clearys*. Do you want to tell me those stories now?

While I was still mine inspector, it was in all the newspapers about a murder in Las Vegas by a scion of a famous family—Fitch shampoo. Richard Fitch had murdered someone who he caught in bed with his wife and was sent to prison—a life sentence. It was discussed at great length, that a famous character like that be involved in a murder. When he came to prison, he didn't wait very long till he wanted an interview, and he came in. He was a very handsome, young man, six foot three or four, two hundred pounds, well built, and very, very intelligent. He'd been in the army, and I'm going to try and figure what that department is. I think they were probably draftsmen, and their business was to draw war tanks and war planes—design them. I saw some of his work. It was real brilliant. And after he'd got into prison, shortly after,

he took up painting. Naturally, he wanted every privilege that he couldn't have, but we got along pretty good. What had happened was he was in the service and living in some town on the Pacific Coast somewhere. It wasn't Santa Barbara, but it was near a military installation. His wife was having an affair with some other man, and finally she took off with this guy. The husband made the mistake of bragging that he was going to find the guy and kill him, and that they could do nothing to him, because . . . what do they call that, when you kill somebody that's having an affair with your wife? There's a nice term, nicer term than I'm thinking of. Anyway, this has been going on for years and years, and when a husband caught somebody in bed with his wife, and he killed the pair of them, that was

Oh, a crime of passion or something like that?

A crime of passion, but he was entitled to do it. And they had a term for it that I can't think of. But this happens on the spur of the moment. When you find your wife in bed with some other guy, you lose all control of yourself. You pull out a gun, if you have it. You shoot him. Or, if you don't have a gun, there's a hatchet handy, you scalp him. He'd made the mistake of telling all his friends, "I'm going to find him. I'm going to kill him." Kill him, not the wife. "And they're not going to do anything to me," on this legal term that I can't think of. He bragged about it.

So, it wasn't spur of the moment anymore.

It wasn't spur of the moment. He located them in a motel, and it was somewhere out of Las Vegas, maybe

Henderson. The place had just started growing. He just shot him. And he didn't try to escape or anything. He just figured he was home free. But they fouled him up. They got the witnesses that testified that he said, "I'm going to kill him, and they're not going to do anything to me on account of it." So, they sent him to jail with a life sentence. And there he was. He'd drafted a line . . . I guess to stay in tune with the time or his vocation, he had pictures, stacks of them, of various model planes that we hadn't seen yet: tanks, futuristic tanks, and all things connected with battlefields and wars. As I say, he'd taken up painting, and he was famous. Every once in a while, some woman would come and visit, and he just had something they couldn't resist. He had a corps of women coming in that had no business visiting. They weren't relatives or even friends. They were just curious. The officials didn't like that. It was a bother to have all these women come in and identify themselves, and they couldn't give a reason why they wanted to see him. So I stopped it. I told Richard, I said, "Anybody that comes in that has a reason to see you, that's fine—male or female—but I'm going to stop this curiosity. This has got to end.

"Well", he said, "I don't send for them. I don't know who they are. They're just curious. And they all want to get familiar."

"Well," I said, "you won't be bothered any more."

His conduct was always good, and he had paintings, Western scenes. I've seen a lot of Western paintings from the best. And I won't say that he was a Remington, but I've seen a lot of fairly expensive Western scenes that weren't as good as his. He had no place to work. He'd make a frame out of whatever material he could find, and they looked pretty good. And time went on. He never

did think that I was fair with him and gave him the privileges that he thought he should have. On the other hand, he realized that I wasn't all that bad, either. When he got paroled . . . and I was responsible for getting him paroled, because he was not going to be dangerous to anybody else. If he just hadn't said, "When I kill him, they're not going to be able to do anything to me." He never had a traffic ticket before or anything. So, when he'd served his minimum, I began talking to the parole board, and after a year of so, we turned him loose, back to his family, and there was no danger of him being a burden to the public anymore, because he had a lot on the ball. Richard Fitch was a very intelligent man. But he brought all his pictures in, and he said, "I don't know whether you can use these, or whether you want them, but I'd like you to have my pictures."

I says, "Well, I'll take them." All his paintings. Quite a few. There were at least twenty. I have only one left. I've given all the rest away. I had eight or ten left in the valley before we moved here six, seven months ago. I gave the remainder to my grandson.



Shortly after I took over as warden, we had a very vicious murder in Reno. The lady that was operating the Western Union in Reno was viciously murdered. She was stabbed seventeen times. The murder weapon was never found, but it was ascertained that it must be a long screw driver. At the desk where she was sitting, the paper described it, and it resembled an abattoir. There was just blood all over the floor, blood all over everything. Pools of blood. Blood spattered everywhere.

There were some people coming by that place at the approximate time of the murder, and they said they saw a well-dressed man run out and get into a white Lincoln

convertible, and make a U-turn and head back east toward Fourth Street. There happened to be a policeman right close, and he got on his radio, and they described the automobile and the general direction, and sure enough, a couple of cars up on Fourth Street picked him up and gave him the siren. He didn't stop. I forget the name of the streets now, although I was familiar with all of them at the time. You go east on Fourth Street to a certain place, and you turn right. It takes you down to the railroad tracks, and you can either cross the tracks, or you can go up on the north side of the track, where you can cross the tracks and go up on the south side of the tracks a couple of blocks, and then you can turn left and cross the tracks again, and get up on Fourth Street. They followed him and got up on Fourth Street, and they cornered him in Sparks someplace, and there he was. There was a white Lincoln convertible, and there was this driver all alone—handsome man, and he was about thirty, thirty-one years old, with a dark blue suit on, patent leather black shoes, silk cuffs on his shirt, out from under his coat sleeve—nattily dressed. His name was Cleary. They picked him up and took him to court, and they took all his clothes: suit, shirt, cuffs, socks, underwear. Every bit of clothing he had on, they sent to the FBI. And they built up a case, and they tried him. The FBI agent who was the witness said that they'd gone through everything that they'd sent: the white silk shirt, cuffs, the suit, the black tie, and the patent leather shoes. They never found a spot of blood anywhere, not on the shoes, not on the sole. Nowhere did they find a spot of blood. And here this woman was killed, and the place looked like an abattoir. Somebody had stabbed her seventeen times. And not a spot of blood!

My friend Bill Raggio was a deputy district attorney, and he prosecuted Cleary's case. They never found a murder weapon. The evidence they had when they convicted him was the fact that somebody had seen him come out and get in a white Lincoln convertible and drive away, and the patrol had picked him up immediately and eventually stopped him. He admitted he'd been in the Western Union, and he'd come out. He was from some town in Illinois, and he owned a tavern, and he'd come to Reno with his fiancée and her son, who was about six years old at the time, to get married. While he was here, he had her parked in a hotel, and he was gambling, and he lost his money. So he'd gone back to Western Union to wire somebody for money, and he'd gone back there to see if the money came, and when he walked in, he saw this woman lying in a pool of blood, dead. He said, "I just decided to get the hell out of there." And he left. This made sense to me. And it must have made sense to six of the jury, because the first counting of the votes it was six for guilty and six not guilty. They voted again and again and again. This went on. Finally, they got nine for conviction and three for not guilty. They were going to stay there, I guess, till they starved to death, so they all voted guilty, but no death sentence. So that's why he wasn't sentenced to death over a brutal murder like that. Six of those jury men never were convinced that he was guilty, even though they did vote that he was guilty. So, he came to prison. He was a very handsome man, over six feet, two hundred pounds, handsome, and no dumbbell—well educated, well spoken.

At the time I had a female dietitian who didn't work out. She just couldn't handle being around a bunch of prisoners. She wanted to feed them fruit salads and all the little tea biscuits. It just didn't fit with a penitentiary.

But I liked her. She finally decided she'd leave, and I decided that I was going to operate the kitchens with inmates. I had people that were good cooks, and we were getting along fine, and I had good butchers.

Cleary came in, and it wasn't long till he asked to see me. He told me how innocent he was, and was there anything I could do for him? How could I help him?

I said, "I gather you owned a business in which you served food?"

"Oh, yes," he says, "I'm a good cook."

I says, "I'll just let you run the mainline kitchen."

And he did. I couldn't have hired anybody better. I just couldn't. He was efficient, frugal. Nobody tried anything on him, nobody. Of course, we kept in close contact. Every week or two he'd come in and report what he might need and what improvements we could make. In the meantime, between the fact that I was raising my own meat and getting my own potatoes and everything, and with the good help that I was getting from Cleary, my expenses were very low. I appreciated him and did the best I could for him, and we discussed his case many times. "Warden," he says, "I'm just not guilty."

I says, "Did you go near that body?"

He says, "I didn't go near it."

I could believe it, because he never had a speck of blood anywhere on him or around him or anything. I've dressed enough wild game to know that, even if I just cut something's throat, I get full of blood, let alone stab him seventeen times. By then, I got into the Court of Last Resort. He wanted me to get the Court of Last Resort to come in and take his case, which was no problem. I knew I could do it. But I wasn't going to bother anybody until he knew exactly what he was facing. I told him, I said, "I

can get the Court of Last Resort in. First, I want you to tell me if you killed that woman, or if you're innocent."

He says, "Warden, before God, I'm innocent."

I says, "I'll get the Court in."

One of the members of the court, who runs a polygraph, is one of the best in the world. They send for him from Europe. He's gone all over—Alex Gregory from Detroit. He was an ex-officer from the Detroit Police Department, and he was their polygraph expert.

I says, "If you're lying, he'll know it. You can't beat him. And Joe, if you're lying to me, and you're guilty, you will never get out of this prison as long as I'm here. I doubt if you ever get out after I leave, if you're guilty. So be sure you know what you're doing. If you're innocent, you've got a damn good chance of getting out. If you're guilty, Alex will tell me."

He says, "I'm innocent."

So, I got Gardner, and we went through his case. They agreed to come. In the meantime, we started getting publicity, and Raggio found out about it. And oh, God, he was not happy. He was the district attorney. He wasn't happy with me for getting the Court in. But they came, and with great fanfare and publicity. And present were Marshall Houts, an ex-FBI man; Park Street, one of the most expensive attorneys in Texas; Alex Gregory, polygraph; Erle Stanley Gardner. So, we set up the polygraph test in my office. Everybody got out, and I said to Alex, "I really want to know if he's innocent."

He says, "If he's innocent, I'll tell you."

So, we all waited outside, waiting for the verdict, and finally somebody rapped on the door, and Alex said, "I'd like to see Mr. Bernard."

I went in. Alex said, "Your friend is guilty." Joe didn't bat an eye.

“Well,” I said, “That’s it.”

So they took Joe away, and the word went out: he was guilty. I talked later to the D.A. I said to Raggio, “Well, it turned out pretty good for you. Now you don’t have to worry about sending an innocent man to prison,” I said, “because he had me fooled, and that’s going some. I just can’t understand how anybody could commit that and not have a speck of blood.”

And I’d got Joe. I’d called him in, and I says, “You remember what I told you?”

He says, “Yes.”

I says, “As long as I’m in this prison, you’re not going to leave. You’ll still be the cook.” I said, “You’re not going to lose any privileges. I don’t know whether to feel bad about you lying or not. I told you what was going to happen. Why did you want to take that test?”

He says, “I thought I could beat it. I really thought I could beat it. I’ve heard people beat that.”

I says, “They don’t beat with Gregory. I told you that. He’s the best there is. Where did you throw that screwdriver? And was it a screwdriver?”

He says, “Yes, it was.”

“And where did you throw it?”

He described how he made the first turn and crossed the railroad tracks. He says, “I threw it out when we were crossing the tracks.”

I said, “They were right behind you, and they didn’t see it.”

He says, “I can’t help it. That’s where I threw it out.”

I said, “Where did you get the screwdriver?” I knew where he got the screwdriver, because, though the screwdriver couldn’t be found, the wounds had to be made by a screwdriver, because they were just thin, deep holes. A workman had been in to fix a slot machine they had there,

and he'd had this long screwdriver, and he'd forgotten it and left it there. Joe come in, and this developed over testimony, that this is not the first time he'd been in there. He'd sent for money, went in and got it, then lost it. He came back and wired another friend for money. The friend sent the money. He got it. He lost it. Every time he'd come in to get his money, she'd open the drawer where she kept the money, and there was a whole mess of cash in there that she used to pay off all these. So, he came back, wired for some money. This time it was longer coming, but he finally got it, and he went back and lost it, too. The last time he sent for money, it didn't come. And he kept going back and forth, back and forth. She finally got irked, and she said . . . I assume that she said, "Don't come back here anymore." He didn't tell me that, but he told me that she said, "Now, don't bother me anymore."

He says, "I'd seen that money there," he said, "so all I wanted was the money, and I went back to get it. She just jumped on me and attacked me. And there was this screwdriver, and I just . . . I picked it up unconsciously, and I stabbed her. Once I'd stabbed her once, I couldn't leave her alive." He says, "I killed her." He says, "You don't know how sorry I am."

But anyway, naturally his fiancée didn't marry him. And if I'd have been in prison yet, he'd still be there, but shortly after I left, they paroled him. He stayed here, and he went to work for Joe Conforte. Joe Conforte started a fancy restaurant up in Gold Hill. He called it the Cabin in the Sky. All the important people went up there to eat. I had invitations to come up and eat on the house, and I never did go up. I never went to see Joe. I just didn't want to see him anymore. But he was there enjoying prosperity and fame as a chef for a considerable length

of time, and he finally disappeared. I don't know if he stayed there until they closed the Cabin in the Sky, or not.

You had a pretty good sense about your prisoners. Were you surprised that this one could fool you about his innocence?

I was surprised, because he didn't have a speck of blood anywhere, and it made sense to me. He admitted that he was in there to get money, and he said, "I saw her. She was laying there in a pool of blood. I figured I'd better get the hell out of here." I would have felt the same way. Or I might have . . . being who I was, I would have called the police or somebody immediately. But he was a stranger. And for a stranger, a tourist, to get caught there with a dead person just might not be so good. So he figured I better get out of here. "Nobody knows I've been in here." And if he'd have walked out of there normally and got in that white Lincoln, even though it was a white Lincoln, nobody would have probably paid any attention to it, but he came out of there running and jumped in the car and made a U-turn. He attracted all the attention he could, or that would have been an unsolved crime. And that's how he had me fooled was, no blood. What he told me, if there'd have been a speck of blood on him anywhere, I'd have known he was guilty. But I felt, and so did six jury men feel, they just couldn't figure it, and I couldn't, either.

STOOL PIGEONS AND TRUSTEES

YOU'VE TALKED about your three wise men and that group that worked with you. Did the other prisoners consider them stool pigeons? Or was that a whole different thing?

No, no. They were not stool pigeons. No, they were well liked and well trusted, and they never went back with any misinformation, and they never gave me any misinformation.

Did you have stool pigeons that worked with you?

Oh, I had stool pigeons coming out of my ears, but nobody knew who they were, not even my guards. That's why I knew everything that went on, as much as I did.

You really protected their identity, all the way around?

Oh, hell, yes. And they weren't doing it to get mean to anybody or report them or anything. They just didn't want any trouble, and they figured if I could stop anything, they were all better off, including the agitators. And none of them ever asked for anything special or nothing. We got along fine. And, in fact, there were people, I'm sure, that hated my guts there, especially these queers that I socked away, because I was pretty tough on them. When they violated any rules, they knew . . . I was tough on them.

One time my wife and I went somewhere, and we were gone all day, and we left our girls at home, and I think Emma Jo took care of the girls that time. We had four or five women inmates who were nice. One was a prostitute, and she didn't get out too much, but even she wasn't bad. But the others were just check kitters.

I got to tell you about Don's Roving Mike, a young Labrador that I had. My youngest daughter Patti, was about seven or eight years old. I told you about Wingfield getting the prize bitch and breeding her to my Blue of Arden. And Mike was the progeny. He just grew up with Patti. Wherever Patti went, Mike was with her. And I don't know if I told you, but I made a swimming pool at the prison, and my kids and their friends would come down and swim. Patti would get out in the middle of the pool, and I'd tell Mike to fetch her. Mike would smash in. She wore braids then. He'd grab a mouthful of braids and tow her to shore. They just had a ball—that dog and Patti.

One day, this day that we left, they got playing kind of recklessly. All the outside trustees were almost like a family. They liked my kids. They liked my dog. They were all interested in watching the dog grow up. They'd ask me how he was doing with the ducks. And Patti was running on this particular day. I never did get the details

why she was running, but Mike came up and grabbed her. We'd just bought her a brand new coat, and my wife was very particular about this coat and looked for it and picked it out carefully. The dog grabbed the coat, and he just tore it off of her. And there she is. And there's the warden and his wife gone. There's Patti with a torn coat, and there's Mike—he's going to get the blame.

The convicts and the guards began conspiring. They found an old fellow who was a queer, but he was old; he wasn't an active one, and he was a tailor. We had a tailor shop, but at that time we didn't have a tailor, but the word got out. He heard what had happened. He asked the captain. He said, "If you let me out, and get me the material," he says, "I guarantee I'll make that coat look like new. They'll never know the difference."

Well, they'd do anything, so they took him out, and he needed a certain colored thread. They sent uptown, sent him uptown with a guard, and went through all the stores. He found what he wanted. He went back. And we didn't know about this. We didn't hear about it for months and months. Nobody told us. They just absolutely . . . none of the inmates squawked, none of the guards, nothing. We didn't know that Patti had had that coat torn.

That old tailor stayed there till I left. He was still there when I left. He was a good one. In fact, he made two or three suits for me while he was there. I'd get the material. He was good, very good. And here we had a tailor shop and no tailor, because nobody bothered to get a tailor, and here we had the best in the business just in the yard.

I devised a hunting jacket, and I had him make two of them for me, and I've kicked my rear end ever since. I should have patented that jacket. I've never seen any-

thing like it, and everybody for years and years that saw my hunting jacket, "Where did you get that?"

"I had a tailor make it for me."

"Could I get one?"

"No."

God, I should have patented that thing, and I'd have been a multi-millionaire. The remnants . . . my son wore his out and threw it away. I wore mine out, and it's still hanging up in the duck shack down at Stillwater at the Canvasback Gun Club.

Sometime after I took over, a fellow by the name of Mark Donnelly was serving on a murder charge. He had a lot of ability, and he was a guitar player. He'd play us the Hawaiian guitar, you know. I liked those Hawaiian guitars, electric guitars. He said, "Warden, a group of the boys have asked me to see you and see if we couldn't have music here again."

I says, "Hell, music here again? Why the hell, you can have all the music you want, as far as I'm concerned. What's been holding you up?"

Well, he said, "They won't allow anybody to have an instrument or even a harmonica or anything. It's absolutely taboo in this place."

I says, "I can't believe it!"

"Well, that's right."

So, I said, "Well, you can sure as hell have music, and I'll find out why you can't."

So, I asked one of the guards that had been there a long time. I says, "Why can't these boys have music and play guitars, sing, whatever they want. We've got plenty of places for them."

"Well," he said, "Warden, at one time they had an orchestra, and they had a piano player. And one day they went up, and they were all drunk. Somebody had brought

a bottle of whiskey in, and they hid it in the piano. And the warden said, this is the end of all music, orchestras, and everything else. So, the piano was put away, and they have never been able to sing or play any instrument or anything since.”

“Well,” I said, “Hell, it just don’t make sense to me.” I said, “Where’s the piano?” Because I’d go around and I’d never seen it.

They said, “It’s up there in the day room.”

We found the piano, and it was just covered with the accumulation of crap that you find. You have to find some place to put it, so you put it on the piano. We had to dig this out. And so, it was naturally out of tune—hadn’t been used for years. I got a piano tuner to come in, and when he got back in there to tune the piano, there was the bottle of liquor—that was empty now—but they’d hid it back in the piano, and the authorities had found it, and didn’t even remove it. They left it. The bottle was *Old Fiddler* whiskey. I’d never heard of *Old Fiddler*. So, we got the piano out, and the bottle was a funny-shaped bottle. It was shaped like a fiddle. I took it down in my office, and there it sat. It didn’t mean a hell of a lot to me. It was just another bottle of whiskey. There was various shapes. Anyway, so we went from there.

This Donnelly concocted an orchestra with trumpet players. We put out a plea for instruments from anybody that wanted to donate, because we didn’t have money to buy them, and they didn’t have money. We got everything we wanted. We had fiddles. We had guitars. We had trumpets. We had trombones. We had drums. We had everything. And we had a hell of a good orchestra. I used to take them out and play for people all around the country. They were good. This Mark was exceptionally good. So, this orchestra got famous. And they were really good.

I'm not just bragging, because they were my orchestra. They were good, as well as, we had a baseball team that were good, and they beat everything around the country.

One day, Erle Stanley Gardner came up and was in my office, and he happened to see this whiskey bottle. "Oh, my God," he said, "Where did you get that bottle?" I told him about it. He says, "You've got a . . . you don't know what you've got there!"

I says, "Why?"

He says, "That whiskey's been out of manufacture for years and years, and a bottle, an *Old Fiddler* bottle, is worth a fortune."

"Well," I said, "my friend, you've got a fortune, because if that bottle's that good, it's yours." And I gave it to Gardner.

He hated to take it. He says, "You don't know what you're giving me."

"Well," I says, "What I'm giving you is with my blessing. Have it on me."

So, he got *Old Fiddler*. I don't know whatever happened to that bottle.

You've talked a lot about building trust with the inmates. It sounds like there may have been some who disliked you, but that you had the trust of quite a number of them.

Most of them trusted me. Even those that didn't like me, trusted me. They knew I wasn't going to lie to them. In fact, they admitted it. In fact, I told you what they said about the warden, "If he told you a piss ant could pull a plow, hook it up and start plowing." They didn't like me, but it wasn't because I wasn't fair and square with them. I had a great advantage over most of the war-

dens. One was my personality and nature. One was my fearlessness, because I was never afraid to go in that yard with anybody. My guards were scared to death until they got accustomed to me. A lot of the other wardens, when I told them what I did, they just couldn't believe it, "You're just taking too many chances." But it's because my prison was so small that it was like a family. I knew most of them. And with the exception of the two-bit thieves that just burglarized this or that, I knew what their crime was. It just made a big difference. Association . . . I don't know what term I'd like to use, but I associated with them, not because I was trying to get friendly or anything, but just to know them. The better I knew them, the better I could run that prison, because I knew who might be dangerous, who might want to start something. And if I didn't figure it out myself, one of my stoolies did. He told me. I had that, because of the number of inmates I had, which were so few that I could get acquainted with them.

What was the population?

It would run from 300 to 550. And the parole board met twice a year. The prison was way overcrowded at 550, way overcrowded. It would hold comfortably 400. So, anyone that was safe to turn loose, we turned loose and got down to 250, which was a minimum. We wouldn't start to get crowded again till almost the next parole board meeting. Now the parole board meets continually. They're always in session.

Your family lived right there. Were you ever afraid for your family?

Never. Never. I think that's the safest place. It's the safest place I could raise a family, because nobody was going to bother my children. There were enough inmates there in strategic places that if anybody ever tried to bother one of my kids, they were dead.

WHEN I TOOK OVER the prison, my predecessor explained what I could expect. I had a cook and a houseboy and chamber maids and whatever—car washers. I had personal attention. One fellow took care of my cars—damn near wore him out, you know, just keeping them shined up. He says, “You got a good cook, Finnegan, and he’s an old con, and he’s very particular, and he told me that he wasn’t going to work for any new warden. So you’ll have to get a new cook.”

Well, I said, “I imagine however you got a cook, I’ll get one, too.”

So the day my predecessor left and I moved in, I went in, and I says, “Well, you’re Finnegan, the cook.”

“Yep.”

I says, “I gather that you’d like to terminate your service as a cook.”

“No. I didn’t say that. I told Dick that I might not want to work for anybody else, but I’ll stay, if you want me.”

I said, “If you want to stay, you’ve got good recommendations.”

So, that was our start with Finnegan. He was a tall man, typically Irish. Typical convict—he’d been in every prison you can think of, and he was a good cook. So, naturally, he started telling me about why he was in prison and what he’d do if he ever got out again. He was never going to touch liquor again, and that was his problem, alcohol. When he got drunk and went broke he did anything he could to get money, short of murder or mayhem or harming anybody. He got it. And he had a personality that few people have. With his personality he could have been successful at anything. And my kids—I think they thought a lot more of Finnegan than they did about their dad. He’d regale them by the hour about his experience. He’d tell them, he said, “Your dad’s a damn sissy. Take it from me. I know. He don’t know how to run a prison. He don’t know how to treat a convict.” He said, “The only way you can treat convicts: be tough, tougher than they are. Why,” he says, “I’ve hung up by my thumbs with water dripping on my head, my big feet barely touching the floor, for days and days at a time, but I never broke. I never broke.” And he’d concoct these stories, and they’d just eat them up. He was just the toughest convict, and he went through more tortures. He got beat up, beat out. He thought the world of those kids. And he’s one, if anybody’d ever tried to take advantage of one of my kids, they had Finnegan on, and he was no cream puff. There was many others I could name—Firpo, Bull, and others—many that I can name. They’d like to have had an opportunity to do that. My wife just thought he was . . .

she knew he was a convict, but she believed him. And went on. I had his history. He just couldn't stay out of prison, but he promised me faithfully that if he ever got out, he'd never fall again, never. Never fall again.

In the meantime, I bought him several things. We didn't pay anybody, but any trustee that did anything for me, like the car washers and everything, I'd slip them a dollar or two worth of brass. You couldn't give them cash. We had prison brass that they could buy things from the commissary with. So, I was pretty good to Finnegan. I'd got him radios. I got him all fixed up with pretty near everything. We kept talking about when he'd get paroled, when he'd get paroled, and I was going to help him. So, finally, I recall when I was pleading my case for Finnegan to the parole board, and one of them mentioned, "God, with that record, how do you ever expect him to stay out?"

I says, "Well, I think he's turned over a new leaf, and I'm going to help him."

I had a friend in the construction business named John Savage, Savage Construction. When I went to prison, he tried to talk me into going into the construction business with him. He said, "If you'll come in with me, I'll give you a better salary than you're getting now and put you on a partnership basis. And all the profits you make will buy into your half of the construction company." He thought I was probably a better engineer and surveyor than I was, but anyhow, I didn't go in with him. I went to prison instead. But we were good hunting partners. We shacked together. We had a house together down in Stillwater. And he had this construction company, and he had a job going on down in Yerington, a road job. He told me several times he had a conveyance that he hauled around with his crew, and it was a kitchen. He could

feed eight or ten or fifteen men, whatever he had, in this moveable kitchen. And he says, "I'd just love to have a cook that could handle that."

I says, "I've got a cook that can handle it. He can't stand liquor. He just can't stand alcohol. If he gets a drink, he's done, and you're done. If you'll just absolutely keep that alcohol away from him, you'll have a hell of a man there. He's a good cook. He's conscientious, and he's honest. He won't steal from you. He won't fudge on any bills or anything."

He says, "Boy, I'll do it."

So, I told Finnegan, I says, "I got a job for you with a good friend of mine, and don't foul me up." I told him what the job was, and I says, "I told him not to give you any whiskey, and don't you put him on the spot or anything. This is a friendship between me and him that he trusts me and I trust him, and now I'm trusting you."

He says, "Warden, I won't let you down."

So, we turned Finnegan loose, and beside the twenty-five dollars that the state gave him, I gave Finnegan a hundred dollars. He'd get a payday within a week anyway. So we turned him loose. I kept track of him with John. Every time I'd see him, and we'd go hunting every weekend, "God, Art, that's the best thing you've ever done for me. That man is" And he'd tell me what a hell of a man Finnegan was. "God, he just is such a good cook and such a nice guy and such a nice personality. All the men like him."

"Well," I said, "By God, maybe Finnegan had finally made it."

And a couple of nights later, about four o'clock in the morning, I got a telephone call from the sheriff in Lyon County, one of my best friends. He says, "Art, I got a guy in jail, and his name is Finnegan. He's been cooking for

John Savage." He says, "I thought I'd call you before I do anything. In case you want me to cover this up, we'll do it."

Well, I said, "What happened? What the hell's the scoop?"

"Well," he said, "I got a call this morning. There was a rumpus down on the line. I went down, and this guy—he says he's your cook—was just tearing up everything and drunk as a skunk. When I brought him in, he said, 'Please get in touch with Mr. Bernard.'" The sheriff's name was Clyde.

I says, "I'll be right down. I'll be in Yerington within a couple hours." And I was. I said, "What have you got against him? What? Did he cause any damage or anything? Did he hurt anybody?"

"No." He says, "He's just drunk. I've got him in on drunk and disorderly, but I don't want to charge him with anything, because it's not serious. And the way he talks, he's something special."

"Well," I said, "He's special to this point. If you don't want to prefer any charges against him, turn him back to me, and I'll take him back to prison, and we'll just figure he violated his parole, because that's what he did, and we don't have to go any further."

He says, "You go ahead." He says, "Take him with you."

So, I put Finnegan in the car. By then, he'd kind of sobered up, not quite yet. And he didn't have anything. He'd hocked his radio, and he'd hocked everything I'd given him. I took him back and put him in the yard.

He told me, he says, "Savage asked me to take a drink. He says, 'Just one drink won't hurt you, Finnegan. Just take one.'" He says, "I just took one, and then I saw where he put the bottle."

Then I got a hold of John. I says, "What the hell? I told you not to give him a drink!"

"Art," he says, "I couldn't help it." He said, "Some buyer or somebody came through late at night—after hours anyway—and they couldn't get anything to eat, and I said, 'Hell, I've got a cook, and he'll fix you up something.'" He said, "Finnegan was nice. He came and he cooked a nice meal for this guy, and the guy is tickled to death, and it was good for my business. I was just happy as hell, and I was happy with Finnegan. I just thought, 'Well, hell, just one drink.'" So he said, "I said, 'Finnegan, let's have one drink.'"

He said, "Finnegan says, 'No. I promised the warden.'

I says, 'What the hell? One drink won't hurt you.'"

And I says, "That's it. One drink wouldn't hurt you? One drink sent Finnegan off."

Anyway, I had Finnegan back. So, first chance I got, when the cook I had was paroled, I got Finnegan back. It was like a homecoming. He was good for quite a while. In fact, he was good, as long as he was there, but he told me, he says, "I'd never made it back here, if John hadn't given me that one drink. Damn it! Spoiled everything."

Finally, he'd served enough time, and he promised faithfully that if he ever got out, he sure as hell wasn't going to take that one drink from anybody, so I got him paroled again. I forget now where I paroled him to, but it was out of town. The next thing I knew, I got a letter from Finnegan, and he was in the Wyoming State Prison, and he told me the sad story that he got drunk, and he wound up in prison. He wanted to know if I'd write to the warden and give him some recommendations and tell him how good He says, "I'd like to get out to that ranch and cook." And he says, "But there's so damn many ahead of me."

Well, I wrote him. I said, "I'll write to the warden and tell him what a good man and a good cook you are. I don't know what I'm going to do with all those guys that are ahead of you."

Now, I knew the warden. I knew all the wardens. We got along fine. The fact that my wife was a pianist, that very few professionals can touch her—when we'd go to these conventions, she and I were the life of the party. We played the piano. We sang, and we did everything. We were the most popular couple of all the institutions. I got along good with all the wardens. We were all very friendly.

So, I wrote him a letter, and I told him about Finnegan. And I said, "He can't take liquor, but he is a hell of a cook. He's economical. He'll do you a good job, and anything you can do, I'd appreciate."

I got a letter back from the warden within a week. He says, "I sent your cook out to the prison. He's doing good."

And pretty soon I got a letter from Finnegan telling me how much he appreciated it. He was sure I was the best warden he'd ever served under. This guy that he was under now was a pretty good guy, too, but he sure appreciated what I did for him.

And things went on. I got a letter from South Dakota from my very good friend, warden in South Dakota. He and his wife and I were always together when we were on these conventions. His wife died; he married another one, and she took up where the other wife had left off. Anyway, my friend Finnegan's in prison in South Dakota, and he wanted to know if I'd write to the warden and give him my recommendations. He'd sure like to get out to that ranch and be a cook. So, I wrote to Jameson, and he wrote back. He says, "I took care of your cook."

I got a letter from Finnegan. He thanked me. I was the best warden he'd ever served under. I was like a father to him, and if anything happened to him, he wanted me to know it. He was getting along fine, and everything was going good.

I got a letter from Finnegan. He was in prison in Montana. The warden in Montana and I were good friends, but we just were different people. He and his wife were old-fashioned, but nice people, and we weren't on friendly basis, like I was with everybody else, that I knew if I asked them for a favor, they were apt to do it. But I wrote and asked him, and Finnegan got out to the prison farm as a cook.

Things went on. I never heard anything for a while. And early one morning, I got a telephone call from a lady, and she gave me her name, which I can't remember; and she gave me her title, which I can't remember; but she worked at the Montana State Penitentiary. She says, "We have one of your relatives who passed away, and we wanted to know what you want to do with the body?"

I says, "God, I don't think I have any relatives in prison."

"Well," she said, "It doesn't say relative. His name is James P. Finnegan. And what we have on our records is, in case of death or anything, to notify A.E. Bernard in Carson City, so we assumed he's a relative."

I says, "No, he isn't. He was at Nevada what he is in Montana. He was an inmate, and he was my cook. And he was almost part of the family, but just do whatever you do with your dead inmates up there."

She says, "Well, then we just take care of them."

I says, "That's fine. Take care of Finnegan."

So, I finally got rid of Finnegan. He had put, "In case of death or accident, notify A.E. Bernard." I think it's the

only family he ever had. My kids, he just was crazy about them.

W*HAT HAPPENED when your time as a warden came to an end. Was it a change in administration?*

Yes. A new governor was elected in 1959, Grant Sawyer. I tendered my resignation, and he didn't accept it. One thing and another, my being there created quite a bit of havoc with a lot of his supporters, who were not very enthusiastic with Bernard being there. Politics were playing their best, so I submitted my resignation again, and he didn't accept it that time. Then later, he did. So, I was four or five months getting out of the prison.

I'd bought some acreage out in the Washoe Valley, and I had plans of building a nice big home out there. I'd done a lot of building in my time, and I was very familiar with tools. I knew this was going to cost a lot of money, maybe more than I had. I started building a guest house at the home that I had in Carson City, and I started buy-

ing a lot of lumber at one of the lumber yards. I found out that an employee of the lumber yard got material at cost, and I thought, if I go to work for a lumber yard, and I got my material at cost, I could save some money building my home in Washoe Valley. I had no connections with that lumber company, but I went up and applied for a job. They knew of my reputation and whatnot, and they thought it was kind of stupid for me to go looking for a job in a lumber yard. I didn't tell them why I was looking for a job in a lumber yard. But when the word got around to the owner of the yard, he says, "Get Bernard there."

So, I went up. In the meantime I was studying, because I was going to be a real estate broker. After I'd been at the lumber yard three or four months, I passed the test, and I went into business with one of my partners that I owned a building with. I'd become quite a valued person at this lumber yard. I'd created a job for myself, going around and talking to the builders every morning, checking what they might need, and seeing that they got special attention. I was bringing in a lot of business. So, I told them that I was retiring, and I told them why, actually. I was truthful. I didn't like the way the yard was being run, and we won't go into that, because it would take too long, but I said, "I'll stay until you get a replacement."

They said, "Hell, what you're doing, we can't replace."

I said, "Well, I'll stay," and I gave them a deadline. I don't remember how much it was—a month, or maybe it was two months, because I had plenty of time to do real estate and work with the lumber yard, too. So, when the date came that I had said would be my last day, the manager said, "I was told to offer you the job of assistant

manager with a bonus, with commissions, if you want to stay.”

I said, “All right, I’ll stay.” So, I stayed with the lumber yard, and I built my house, and it was quite a building, and it didn’t cost me very much. I stayed till they sold the lumber yard, and the new buyers wanted me to stay, and I told them the same thing. I agreed to stay till they could replace me, which they did.

I’m curious. After you left the prison, were you sorry to see that job end?

Not really. I’ve never been sorry to see any job end. If it’s the end, that’s it. Get on to something new. You’ve got to live. Get a new job, and do the best you can with it. I’ve never had a job that I wasn’t successful with.

Did you maintain friendships with any of the other wardens?

No, I didn’t. The man who succeeded me, as you might suspect by now . . . I’d built all these buildings and fences and everything, and on each one was A.E. Bernard, Warden, 1952, 1953, 1954. My name was everywhere. The new warden got so tired of seeing that name and hearing what a hell of a man Bernard was and what Bernard did and what Bernard built, that he had all these buildings torn down, except the six cottages that I’d built. Those he couldn’t tear down, but everything else, he did. Aside from that, I got along with the other wardens that succeeded him. We belonged to the same service clubs, and we got along all right. They never got along at that prison like I did. I was the youngest man ever appointed

warden, and I was warden longer than any man before or after.

It's usually a short-term job. Is that right?

They change politically. You can almost bet on it. That's one plum that an incoming governor has to put out.

It hardly seems like a plum. [laughter] I mean, it's such a hard job.

Well, it is.

Why is it so hard?

I don't know how to express it, but you're either a good warden, or you're not. If you're afraid, don't go near a prison. Because the minute you get in there, they know you're afraid, and you're done. You're lost. My predecessor was that way. He didn't know what was going on in that prison, and when anything happened that had to be taken care of, he'd get drunk and let somebody worry about it.

So, the job of prison warden was a plum?

Well, it was the pay. The pay and the prestige. But not everybody can be a successful warden. You got to have the personality for it. You can't be afraid of anything. And I was never afraid of anything. I'm just flesh and blood like they are, and they are just flesh and blood like I am. I had a great advantage. I was an experienced fighter. I was an experienced fighter, because I was tough.

There's tougher men than I am, but while they're getting dinner, I'll get a lunch. And so, nothing scares me. Physical abuse doesn't bother me; a beating doesn't bother me, because I've been beat up so bad that I had to lean up against a light post after a fight for two weeks, so I could breathe naturally. When I went into this barber-shop to get a shave, because the barber had said he'd like to get the warden in his chair, I knew it takes a lot of guts to cut a man's throat. You just don't know how much guts. And for him to be there and have me there and think of it—have no reason to cut my throat. I knew he wasn't going to do it. I would have bet half a million dollars to forty cents that he wouldn't do it, but that's my personality. Others are scared to death.

And others just don't enjoy To me it was a challenge. Everything was a challenge. The dope was a challenge. Everything was a challenge. They say, "You can't do that."

"Why?"

"It's never been done."

"By God, it's going to be now."

Then, that's like a red flag to try to fix it.

NEVADA INDUSTRIAL COMMISSION

EVERY JOB I'VE HAD was a challenge. Years later, I needed some time to finish my twenty years retirement with the state, and my friend Dr. Petty was now the Industrial Commission doctor. I had to go ask somebody for a job for three or four or five months to get in . . . I had a year and some time to go. So one other of my very good hunting partners was John Bawden, who was the State Highway Engineer, and he heard that I needed some work, and he said, "By God, we can use you." He said, "We need to know what we've got in all our outlying districts, and we need an appraisal. Everything's got to be reappraised." He says, "You're just the man to do it," but he says, "If you start it, you got to finish it. You'll have to stay till you're finished," because I only had this short time to go to . . .

"Oh, hell," I said, "if I start it, I'll finish it." So, I went to work on that, and I killed all the time I could, because I found out when you work for the highway department,

you're not supposed to do anything. For Christ's sake, if you do something, they've got to fire half of the crew. So, I did it as slow as I could, and it still took me about a third of the time that he suggested that it was going to take.

"Well," he said, "hell"

I said, "I'll have to find something else to do, because I'm through."

"Well, hell," he said, "you've got an office and a seat. Sit there! Your salary will go on as long as you want."

I said, "I can't do that. It just isn't" And I thought, "I'll go see my friend in the N.I.C." That was the Nevada Industrial Commission.

So, I went in and saw the chairman, whom I'd known for a long time, and I said, "I need about three months work."

"God," he says, "I'm glad you came in." He says, "You know what?" He says, "We've got a hell of a problem. We're sending checks out," to all the recipients they had from accidents—widows and orphans and those who were hurt and were getting compensation. He said, "So, many of those checks are being lost. The recipients aren't getting them, and yet they're coming back endorsed. We're paying them off."

I said, "Can't you tell by the signatures, whether this was the endorsee or not?"

"Yes," he said, "they look pretty good to us." He says, "Any way you want to work it," he says, "you go ahead, however you want to start." He says, "I'll have to have the blessing of the other two commissioners," because this was a special job, and he called them in, and, God, here comes one of the . . . the labor commissioner was one of my friends who'd come in to the office down there at the prison to protest my inmate work program.

One of the guys that was trying to get you to hire organized labor?

Speed Hutchings, the commissioner, started introducing me, and when he came to John, John says, "Hell," he says, "I knew him before you did." He says, "I had quite an experience with him. And I'm tickled to death he's coming to work for us." He said, "By God, he'll do the job." And I did. And it didn't take long, and I found out what was going on.

In my investigations, I found that there was a lot of skulduggery going on among families. The check would be made out to a certain woman, and her cousin, or one of her relatives, would get the check. With the payee's permission, they would endorse it. They knew her signature, or his signature, very well, and they traced it. They got by with it. Then, they cashed the check. They had the money. She reported, or he reported, that they didn't get the check, and they were sent a duplicate. They cashed it. Both checks were cashed. And so, this solved the whole thing. They took care of that right away.

I almost had my time in. And I'd told them when I went to work—I think it was in April—that I was going to quit by September 1, when the hunting season opened. I said, "Nothing can interfere with my hunting season. And the dove season opens September first, so I'm going September first." Well, this was supposed to be a long, drawn-out job, but it came so easy and so simple that I finished it in late June or early July. So, I jokingly mentioned to Keith McKay, the chairman of claims, who was my boss, that I was going to have to go look for someone else to finish out my time.

He said, "My God, you're a miner." He says, "We've got a claim down in Hawthorne for a mining company,

and it's going to cost us a million dollars." He said, "Our investigators have accepted it. It bothers me. There's something that don't seem right, but I'm not a miner, and I don't know what the hell is going on. But let me give you the reports here from our investigator." He gave me the report of these two investigators, who, as I went on working there, I found out were not absolutely honest themselves, either, and damn poor investigators. I read these reports. Something didn't click to me, either, but the claimant was working for a mining company that . . . two guys owned this mining company, and I knew them well from years gone by. So, I went down. The minute I went in their office, I smelled something wrong. They knew who I was, but they didn't know I was working for the N.I.C. till I told them, because I was investigating a claim and told them which one. To make a long story short, this fellow was on their payroll as their employee working for the Industrial Commission. But he was moonlighting, and he was driving a truck for somebody else, and he was loading in Mina. He loaded this truck in Mina from a loading ramp, and the stuff was chalk coming from Mount Montgomery, an operation up there. I forget what this chicken scratch was . . . material is what it was. As he was loading a truck, somebody appeared mysteriously, just beat him to death, almost to death, and stole his money, and just beat him up seriously. And his eyes . . . they blinded him. He was blind. He couldn't see any more, and he had brain damage, and he had just been really worked over. I started digging into that, and it was really comical. What had really happened, there was a fellow from—I think it was either Arkansas or Oklahoma. I can't remember which, but he was an Okie, anyway. He had a sixteen-year-old daughter, and he was having intercourse with her. She was a

good-looking girl, and she got a boyfriend, and she started going out with the boyfriend, and I suppose she was doing naughty-naughty with him, too. The father that got robbed and beat up told this guy, her boyfriend, that if he showed up again, he was going to shoot him, and he locked the girl up. Well, sometime after dark, the boyfriend came to the window, and she opened the window, and the old man was waiting. He barged out there with a gun, and, naturally, he scared the kid. The kid was twenty years old—big, husky, young fellow, good-looking—I found out later, and he took off. The old man jerked the girl back in the house. Either that night or the next night, the father drove down and was loading his truck again, when this young man showed up. He was wearing gymnasium shoes, because his tracks were all over. I guess he just damn-near beat this guy to death. He didn't rob him. He just worked him over.

Well, he turned in the claim to his employers, who were carrying him on the N.I.C. and getting paid from the chicken-scratch company for their portion of the N.I.C. They were all violating the laws. That's why my two miner friends were worried as hell when I started investigating, and they found out what Anyhow, naturally, it was reported to the sheriff. The sheriff was Hefty Sanderson. I'd known Hefty all the years I was prison warden. He was sheriff. Well, Hefty was quite a con artist. And so, I thought, "I'll go to the sheriff's office and get a report of the investigation, because when a man is almost beat to death, and he's lost his eyesight, and brain damaged, and everything else, he's got to have a report.

So, I went up to the office, and Hefty wasn't there, but the woman at the desk was a deputy sheriff. I forget her name. I introduced myself, and I told her what I

wanted. I wanted a report of this various incident. She went through everything and says, "I can't find it."

"No," I said, "you've got to have it."

I could tell that she knew where it was, but I wasn't going to get it. I said, "Well, you can't very well lose that in the sheriff's office. I mean, who was the deputy that investigated it?"

"Well," she said, "He isn't here."

"Well," I said, "who is he, and where does he live? I'll contact him."

"Well," she said, "I think he's on vacation."

I said, "We better get together here on this. I want to see that report."

She just didn't know what the hell to do or what to say, and just then, Hefty Sanderson walked in. If he'd known I was in there, he'd have never showed up, because even if he didn't know what I was there for, he'd have got suspicious, but he was trapped there. So, I turned around, and I said, "I'm here trying to get a copy of a report," and I told him what. I said, "Seemed like it got lost or misplaced someplace, but I want it."

"Well," he said, "I think we did investigate that. Didn't amount to anything."

"You mean to tell me that the guy was beat up, and he lost the sight of both eyes and brain damaged, and it didn't amount to anything?" I said, "Hefty, you think this is a little, old school teacher from Santa Barbara? This is the old warden talking to you." I said, "I want that report. I hope, the hell, I don't have to go get a court order to get it."

He says, "Come on. Let me talk to you."

"Ah, no."

He went on. He says, "Now look, Art." He says, "That thing is all done and past." And he told me the story. He

says, "The kid's from a good family. Some of our most prominent people. We just don't want The old son of a bitch got what was coming to him, so why don't we just forget it?"

I said, "We're not going to forget it, because this is going to cost the taxpayers in one way or another. It's going to cost the Nevada Industrial Commission, from what I can gather, maybe a million dollars. And we just can't afford that."

Well, he said, "I really don't think we've got a report on it, to be honest with you. I'll give you all the information to settle it."

I said, "That'll do."

So, I went back with the information, and we called this fellow into a hearing, and everything was ready to pay for all these medical bills and everything. We told him what we'd found out, and we said, "We'd like you to withdraw this claim," which would be the easiest way to go. He withdrew his claim.

So, that took me two or three weeks, and I'm getting pretty close to September 1. By God, we got another mining accident.

When I went to work for the Nevada Industrial Commission, it was a temporary job. I needed three or four months for my retirement. I had to work up until July, and by the time that came along, I'd finished the job I was hired for, and I'd accidentally got into investigations. I investigated that case down in Hawthorne that saved them half a million dollars. And the minute that was over, they had one up in Gerlach—a mine explosion. They had a man in the hospital that's supposed to be all blasted to pieces, and the N.I.C. investigators had investigated, and it was a valid claim, and this was going to cost them. The man's eyes were blown out. His brain was gone. This

was going to cost them half a million dollars or more. She says, "Will you go up and check that out?"

I said, "Yes, I will." And I went up. To make a long story short . . . oh, first I went to the hospital. The man was still in the hospital at St. Mary's, and I looked at his face, and I knew he'd never been in a mine blast, if he'd been in a mine at all. So, I barreled up to Gerlach, and I had a few acquaintances around there. I found out that he got drunk at one of the joints, and at four o'clock in the morning somebody beat the hell out of him and threw him out in the gutter. The N.I.C. investigators that had been up there investigating before, had only talked to his friends, nobody else. And so, there again, I can't imagine how much money I saved there.

He had an attorney named Jim. He was district attorney in Churchill County, one of my very good friends. He was now in private practice. And he came over to represent this guy. When he talked to me, he went over to his client, and he said, "You need a new attorney. I'm quitting."

The man said, "Why?"

He says, "I talked to Bernard, and he told me what happened."

Well, he said, "Aren't we going to have a meeting?"

He said, "No. If Bernard said that happened, that's what happened. I don't want any part of it." So he didn't either.

So, now September the first was just around the corner, and that's when the hunting season starts. That's the dove season. So, I went to Keith McKay, the claims manager, and I says, "Well, Keith, it's been nice working with you guys. I've enjoyed it. I've enjoyed the type of work I had, and I enjoyed being successful at it, but I've got to leave. I've got my time in."

“Oh,” he says, “you can’t quit.” He says, “You just stay right here with us.”

I says, “No. Nothing is going to interfere with my hunting and fishing. And I don’t need the money. I don’t need a job.”

He says, “You’ve earned your money for the next fifty years. Your salary is . . . you’ve earned it for the next fifty years.”

I says, “Send me a check every month.”

He says, “No, you’ve got to be on the payroll to get it.”

Well, I said, “I just can’t do it. And nothing’s going to interfere with my hunting.”

He says, “You can go hunting and fishing anytime you want. We’ll put your dog on per diem. You won’t have to feed your dog.” He says, “You’re smart enough to know that you’re going to be an investigator. You’re going to have a certain amount of claims to investigate. You can do them any time you want, as you want them or where you want them. They’re going to be all over the state. You’re going to be in duck country. You’re going to be in fishing country. You just as well be doing it on salary and on per diem and on expenses.”

I says, “I don’t know how anybody could turn that down.” So, I stayed on, and I had more interesting cases and saved them millions more. Guys that just—nobody but me could have done it. They had one case in Pocatello, Idaho, where a man was working for Harolds Club and went around and fixed up all these Harolds signs. They had “Harolds Club or Bust” signs all over the country. He had a crew of men driving a well-equipped truck all around doing this repair work. Harolds gave this lead man a whole chunk of money, four or five thousand dollars, how ever much he’d need to make the circle back, and

they'd be gone for a month. He got in this town in Idaho, and every night he used to have to call and give a report, so he got on a pay phone to call, and while he was in there, a big African American, six foot six, 250 pounds, came in there, beat him, almost killed him, broke both jaws, and stole all his money—Harolds' money. Naturally, they hauled him to the hospital. Harolds was insured for this money. I mean, they had insurance that would cover this money loss, the stolen money. So, they sent an investigator up there, and they couldn't come out with anything. They couldn't learn anything that had happened. In the meantime, this guy's got broken jaws. They're healing, and his claim is coming up before the N.I.C., and this is going to be an expensive one. The insurance company hired some investigators from Reno, and I can't think of their name now. They're both ex-sheriff's officers, and they went up, and they couldn't find out anything, and we're stuck with it. McKay—he called himself McKigh—is pretty well acquainted with my method of operation. He says, "Why don't you go up there and look into that. See what the hell you can find out."

So, I went up, and I took my wife—she insisted on going, because we'd heard about this not being able to investigate anything. She wanted to go along and protect me, and to keep her quiet I said, "All right, you can come along for the ride."

We got up there, and I got all the history I could, first. I found out what motel he was staying at, and he had his helper. So, I went up, and I started at the motel, and the information I got from there led me to his helper. The information I got from there was that, he didn't know what had happened, but he had all this money, and he wanted to go to a whorehouse, a black whorehouse. He was in the mood for a change, I guess. And he never saw

him again. He said that night he was all beat up. So, I went from there.

Well, a man beat up that bad, we've got to have a police report. So, I went to the police department. It was a pretty good sized police department. I told them who I was and what I was there for. He says, "You're wasting your breath. We can't get a thing. We can't get a thing." They've got a big black district down there, and there's a big mafioso running it. I mean, the big black—you can't get anything out of him. The cops had gone down there, and they'd run into nothing but stone walls. Nobody would tell them anything. Well, but they did know that this big black had been arrested, but he'd never been tried.

And I said, "Well, I'll go down there and smell around myself."

"Oh, you can't go down there. You can't go down there. It's dangerous."

"Oh," I says, "Hell, I don't know why it would be dangerous."

"Our men go down there in pairs. We'll send somebody with you, but you can't go down alone."

I says, "I'm going down. I'm going down alone. That's the only way I can investigate."

So, I told my wife where I was going to go, and she had a fit. She wanted to go along.

I said, "You can't go into a black whorehouse!" I finally agreed that she could stay in the car outside while I went in. "Lock the doors and don't open them for hell or high water." I knew that I had to find this black mafioso boss. I went in, and in my days as mine inspector, mine operator, I always referred to anybody as "boy." A group of them, "How you doing, boys?" I didn't know that you

didn't say, "How you doing, boys?" to blacks, as much as I'd been around blacks and had black friends. But anyway, I parked my wife in this new Chevrolet out there by the curb, walked across the street, walked in, and there was a whole group of young blacks at a bar. I said, "Howdy, boys," as friendly as I could be. You could have heard a pin drop. I said, "I'm looking for the man who is the proprietor of this building, and one of them pointed that way, and I went in, and I saw an office with a black girl, and I could see a big man through a window in another office. And so, I told this lady that I wanted to see the manager, and I was talking loud. I know this guy is listening. I told her who I was, and I told her that I was investigating a claim, and I told her what the claim was, and I said, "It don't make sense to me, and I'd really like to find out what happened. I think that this man could tell me. What is his name?"

She said what it was, and she said, "He's there. "He's in there." And he's already on his way out.

He says, "What can I do for you?"

I told him what I wanted and why I wanted it, and that I didn't think that he'd been beaten up by a black man, but I wanted to know for sure.

He says, "I wasn't here when it happened, but," he says, "I know exactly what happened. He came in here with a lot of money. He started throwing his weight around. He started buying drinks for everybody in the bar. He started horsing around with the boys." And he named their names. I had the name of this guy that broke his jaws. "And he wanted black girls."

He took me upstairs, talked to one of the black girls, and she said, "He came in, and he had all this money. He just kept throwing it around, and he was too drunk to do

anything anyway, but he left. By the time he left, he left all his money.”

He'd been trading hats back and forth with one of these big blacks, and he got away with the black's hat when he left. The black followed him, because he wanted his hat. He went up to a pay phone and went in, and the black went in there and told him, “I want my hat.”

He says, “Get out of here, you goddamned expletive deleted. We made our trade.”

“And he started punching me,” he says, “I just put out a fist, just to protect myself. I caught him right on the chin, and his jaw just broke.”

So, I had all this, but I talked to several people, and I found out that the judge was suspicious of this whole thing, and that's why he didn't hold a trial. I went up to the hospital to get a report on the man, because he had to go to the hospital, and they wouldn't give me the records. I said, “If I've got to go get a court order to get those records, I'm going to get them. I want to know what the hell happened and what condition he was in when he come in here.” So I got the records. He was maudlin drunk. They couldn't do anything but set his jaws. And anyway, I came back. I settled that.

The two insurance companies whose investigators had gone up there to investigate this, wanted a copy of my report, because they didn't have anything. And for their own benefit. McKay wouldn't let them have a copy of my report. He said, “By God, if they haven't got good enough investigators to do what you did, they're not entitled to it.”

That's just another example of how you were not afraid of any kind of situation, which is what made you a good

warden. I want to thank you for your work on this oral history.

Oh, it's been a pleasure.

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